



Planning and Zoning

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TCLUO 2021-06

Tooele Valley Airport Overlay Zone Ordinance Draft and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: August 18, 2021

Request: Recommendation of Approval for proposed AOZ (Airport Overlay Zone).

Planners: Jeff Miller

Planning Commission Recommendation: Not yet received

Planning Staff Recommendation: Approval

PROJECT DESCRIPTION

Salt Lake City Department of Airports, RS&H, and the Planning Staff are requesting a recommendation of approval for (Chapter 32) of the Tooele County Land Use Ordinance regarding the Tooele Valley Airport (AOZ).

Our office has been working closely with the Tooele Valley Airport on a proposed overlay zone for properties geographically distanced from the airport within certain areas or zones (A-D & H). Each area will have unique zoning restrictions, in order to provide for the health, safety and welfare of the public and to protect the airport as an economic and safety asset within the community.

Multiple work sessions have been held with the planning commission since November 2020 to discuss and revise the proposed Airport Overlay Zone.

***Please see the attached AOZ ordinance, as well as additional supportive information.**

NEIGHBORHOOD & COMMUNITY RESPONSE

Planning Staff worked closely with Salt Lake City and the consultant to send out a mass mailing for the proposed ordinance update to all properties that are located within the Airport Overlay Zone. We anticipate that there will be significant feedback based on the number of notices that were mailed out. Any feedback that is received will be forwarded to the Tooele County Planning Commission for review and summarized on August 18th.

Planning Staff has attached e-mails that were received previously (late 2020) regarding the proposed AOZ Ordinance.

PLANNING STAFF ANALYSIS & RECOMMENDATION

Planning Staff is requesting a recommendation of approval to the Tooele County Council for the proposed Airport Overlay Zone (AOZ).

CHAPTER 32

AIRPORT OVERLAY ZONE

Section

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32 - 1. Purpose.

It is determined that an airport hazard can endanger the lives and property of airport users, as well as compromise the health, safety, and welfare of people and property on land in its vicinity. Additionally, obstructions to navigable airspace or incompatible land use types, in effect reduce the size of the area available for landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of airports and the public investment therein. Accordingly, it is declared that:

- (1) The creation or establishment of an airport hazard is a public nuisance and an injury to the region served by airports.
- (2) It is necessary in the interest of public health, public safety, and general welfare that the creation and establishment of airport hazards be prevented.
- (3) The prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

32 - 2. Definitions.

AIRCRAFT APPROACH CATEGORIES (AAC): As specified in 14 CFR 97.3, AACs are based on approach speed of an aircraft as follows:

- (1) Category A: Speed less than 91 knots.
- (2) Category B: Speed 91 knots or more but less than 121 knots.

- (3) Category C: Speed 121 knots or more but less than 141 knots.
- (4) Category D: Speed 141 knots or more but less than 166 knots.
- (5) Category E: Speed 166 knots or more.

AIRPORT: Tooele Valley Airport.

AIRPORT AIRSPACE ANALYSIS (AAA) – All proposed development on public-use airport property is subject to an airport airspace analysis (AAA). The appropriate FAA regional Airports Division is responsible for initiating the coordination of aeronautical studies, which consist of:

- (1) Evaluating the effect of the construction or alteration on existing and planned operating procedures
- (2) Determining the potential hazardous effect of the proposed construction on air navigation
- (3) Identifying mitigating measures to enhance safe air navigation.

AIRPORT ELEVATION: The highest point of the airport's usable landing area measured in feet above mean sea level.

AIRPORT HAZARD: Any structure or object or natural growth located on or in the vicinity of the airport, or any use of land near the airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff at the airport, or is otherwise hazardous to such landing or takeoff of aircraft.

AIRPORT IMAGINARY SURFACES: Imaginary surfaces are defined in 14 CFR 77.19 – *Civil Airport Imaginary Surfaces*, of the Federal Aviation Regulations (FAR), which is incorporated by reference and made a part hereof, for the most precise approach existing or planned for either end of that runway. The slope and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach procedure existing or planned for that runway end.

AIRPORT MASTER PLAN: The master plan of the airport showing the layout of existing and planned airport facilities as determined through a public process involving community stakeholders.

AIRPORT OVERLAY ZONE (AOZ) – Regulatory tool used to protect public health, safety, and welfare near airports. An AOZ protects for the following:

- (1) Continued airport utility as a public asset
- (2) Property owner land values near an airport through compatible land use zoning best practices
- (3) Aircraft occupant safety through protection of navigable airspace.

AIRPORT REFERENCE POINT: The point established as the approximate geographic center of the airport landing area.

AVIATION COMPATIBLE LAND USE: An aviation compatible land use, typically an industrial or commercial use, is one that relies on proximity and access to airport airfield infrastructure to function effectively. This could be for transport of people or goods for business purposes.

CFR: The Code of Federal Regulations.

DECIBEL (dB): A unit used to measure the intensity of a sound by comparing it with a given level on a logarithmic scale.

DEPARTURE SURFACE: The Departure Obstacle Clearance Surface (Departure Surface) is calculated and defined using FAA Order 8260.3D, *United States Standard for Terminal Instrument Procedures (TERPS)* to evaluate instrument departure procedures and required aircraft climb performance from a runway. The Departure Surface starts at a runway departure end and elevation, sloping up at a rate of 40:1 (run:rise). Penetrations to a Departure Surface often result in flight restrictions and higher published aircraft climb gradient requirements for departure procedures.

FAA: The Federal Aviation Administration.

HEIGHT: Expressed in terms of mean sea level elevation unless otherwise specified.

INCOMPATIBLE USE: Any structure or use of land which, exposes operating aircraft to unsafe conditions (such as hazardous obstacles), reduces the utility of the airport, or exposes residents or occupants in the vicinity of airports to unacceptable levels of aircraft noise.

INSTRUMENT FLIGHT RULES (IFR): Rules and regulations established by the Federal Aviation Administration to govern flight under conditions in which flight by outside visual reference is not safe. IFR flight depends upon flying by reference to instruments in the flight deck, and navigation is accomplished by reference to electronic signals. Regulations for flying under IFR are defined in 14 CFR 91.167-91.193.

INSTRUMENT LANDING SYSTEM (ILS): An electronic system that provides both horizontal and vertical guidance to a specific runway, used to execute a precision instrument approach procedure.

NONCONFORMING USE: Any preexisting structure, tree or use of land which is inconsistent with the provisions of this section or an amendment.

NONPRECISION INSTRUMENT RUNWAY: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document.

OBSTRUCTION: Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by this Ordinance.

OBSTRUCTION EVALUATION (OE) - Obstruction evaluation refers to aeronautical studies conducted by the FAA for any object that may affect the national airspace, air navigation facilities, or airport capacity. Aeronautical studies are coordinated by the FAA's Obstruction Evaluation Group (OEG).

PERSON: An individual, firm, partnership, corporation, company, association, joint stock association or governmental entity. It includes a trustee, receiver, assignee or similar representative of any of the foregoing.

PRECISION INSTRUMENT RUNWAY (PIR): A runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It shall also mean a runway for which a precision approach system is planned and is so indicated on an FAA approved airport layout plan or any other FAA approved planning document.

PRIMARY RUNWAY: The airport runway used for the majority of aircraft operations as defined within the Airport Master Plan and Airport Layout Plan.

RUNWAY: A defined area on the airport prepared for landing and takeoff of aircraft along its length.

SOUND ATTENUATION: Special construction methods or materials supplementing general building code requirements that are designed or have the effect of insulating interior spaces from exterior noise or sound to lower decibel levels. Sound attenuation requirements of **Section 1.14 – Development Standards** of this chapter, or successor subsection, must be demonstrated and satisfied on building plans, pursuant to the requirements of **Chapter 1 – General Provisions** of this code before they can be approved by the building official.

STRUCTURE: An object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks, earth formations and overhead transmission lines.

TERMINAL INSTRUMENT PROCEDURES (TERPS): As defined in Federal Aviation Administration Order 8260.3D (or any subsequent update to the Order), TERPS are a prescribed standardized method for use in designing instrument flight procedures.

TREE: Any stationary object of natural growth.

UTILITY RUNWAY: A runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds' maximum gross weight or less.

VISUAL FLIGHT RULES (VFR): Rules adopted by the FAA governing aircraft flight using visual references. VFR operations specify the amount of ceiling and the visibility the pilot must have in order to operate according to these rules. When the weather conditions are such that the pilot cannot operate according to VFR, the pilot must use instrument flight rules (IFR). Regulations for flying under VFR are defined in 14 CFR 91.151-91.161.

VISUAL RUNWAY: A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure, and no instrument designation indicated on an FAA approved airport layout plan or on any planning document submitted to the FAA by competent city authority.

32 - 3. TVY Airport Master Plan and Airport Layout Plan.

Airport height provisions for Tooele Valley Airport shall be determined by and based on an Airport Layout Plan (approved by FAA) and on file with the County Community Development Department. Any such maps so approved and recorded as of the time of the passage of the ordinance codified in this chapter, shall be deemed to be as much a part of this chapter by this reference as if fully prescribed and detailed herein.

32 - 4. Airport Influence Zones Established; Map.

In order to carry out the provisions of this section, there are created and established certain airport influence zones which include land lying within the surfaces defined in the following regulatory and technical publications:

- (1) 14 CFR Part 77, *Safe, Efficient Use, and Preservation of Navigable Airspace*

- (2) FAA Order 8260.3D, *United States Standard for Terminal Instrument Procedures (TERPS)*

Such zones are shown on the airport overlay zone map and official county zoning map on file in the office of the county Community Development Department, as the same appears as of the effective date hereof, and as hereinafter amended from time to time and hereinafter updated to reflect the updating changes made thereon by ordinances adopted by the County Commission. Such map and all references, notations and other information shown thereon are made a part of this chapter and incorporated by reference to the same extent as if said map and the information thereon were fully described and set forth herein.

32 - 5. Airport Overlay Zone A (AOZ-A) – Limited Development Zone.

- (1) AOZ-A Purpose and Basis

(a) The Limited Development Zone (AOZ-A) includes TVY facilities and the immediate area surrounding the airport. It is important that this land be protected from obstacles intruding into navigable airspace because, in this zone, aircraft are lowest to the ground in the most vulnerable stages of flight (takeoff and landing). Likewise, people and facilities are closest to low flying aircraft and are therefore subject to more noise and the potential impacts suffered in the event of an aircraft crash. AOZ-A also protects land most likely to experience the highest levels of aircraft noise around the airport. The AOZ-A attributes are based on 14 CFR Part 77 protected airspace, FAA Order 8260.3D TERPS flight procedures, FAA AC 150/5300-13A design standards, and TVY aircraft fleet noise impacts.

- (2) AOZ-A Boundary

(a) The AOZ-A boundary is a rectangular shape centered on the primary runway. AOZ-A is 4,000 feet wide (2,000 feet laterally on each side of the runway and parallel to runway centerline) extending 5,200 feet beyond both the north and south ends of the primary runway.

- (3) AOZ-A Land Use Requirements and Restrictions

(a) Avigation easement required for all new development to establish object height limitations.

(b) Aeronautical and aviation compatible/dependent land uses that rely on and make regular use of airport facilities are strongly encouraged.

(c) R-R-5 and R-R-10 residential uses are permitted. R-R-1 residential use requires conditional approval by the Tooele County Planning Commission and/or the Board of County Commissioners as defined within **Chapter 7 – Conditional Uses**. All other residential uses are not permitted.

(d) Land uses sensitive to noise (excepting permitted or conditionally approved residential) and areas of public assembly are not permitted. All allowable residential land uses require sound attenuation construction practices to reduce indoor dB exposure levels. Noise sensitive land uses include:

- (i) Residential
- (ii) Mobile home parks
- (iii) Transient lodgings
- (iv) Residential facilities for elderly and disabled persons
- (v) Educational institutions (excluding aviation education and those making use of airfield facilities such as university flight schools)

- (vi) Religious institutions (excluding those that are not used for large public assemblies and are integrated into aviation related facilities at fixed-base operators, such as small meditation areas or quiet areas)
 - (vii) Hospitals (excludes small medical facilities directly related to aerial patient transport which make use of airfield facilities)
 - (viii) Outdoor parks or sports arenas
 - (ix) Outdoor music venues and amphitheaters
 - (x) Nature exhibits and zoos
 - (xi) Amusement parks, resorts, and camps
 - (xii) Golf courses, riding stables, and water recreation
- (4) AOZ-A Obstruction Evaluation
- (a) Under 14 CFR Part 77, submission of the Form 7460-1 by the land owner or representative sponsor to the FAA to initiate an Obstruction Evaluation/Airport Airspace Analysis is required as further defined in **Section 1.10 - Airport Overlay Zones – Obstruction Evaluation.**

32 - 6. Airport Overlay Zone B (AOZ-B) – Extended Approach Zone.

- (1) AOZ-B Purpose and Basis
 - (a) The Extended Approach Zone (AOZ-B) is designed to protect FAA TERPS airspace extending off the ends of the primary runway. Land within AOZ-B is the most likely to experience high levels of aircraft noise and frequent overflights.
- (2) AOZ-B Boundary
 - (a) The AOZ-B boundary is 4,000 feet wide (2,000 feet laterally on each side of the runway perpendicular to runway centerline) and extends 8,160 feet in alignment with the primary runway centerline from the north and south extents of the AOZ-A boundary.
- (3) AOZ-B Land Use Requirements and Restrictions
 - (a) Avigation easement required for all new development to establish object height limitations.
 - (b) Aviation compatible/dependent land uses are encouraged but not required.
 - (c) R-R-1, R-R-5, and R-R-10 residential uses are permitted. All other residential uses are not permitted.
 - (d) Land uses sensitive to noise (excepting permitted residential) and areas of public assembly are not permitted. All allowable residential land uses require sound attenuation construction practices to reduce indoor dB exposure levels. Noise sensitive land uses include:
 - (i) Residential
 - (ii) Mobile home parks
 - (iii) Transient lodgings
 - (iv) Residential facilities for elderly and disabled persons
 - (v) Educational institutions
 - (vi) Religious institutions
 - (vii) Hospitals
 - (viii) Outdoor parks or sports arenas
 - (ix) Outdoor music venues and amphitheaters

- (x) Nature exhibits and zoos
 - (xi) Amusement parks, resorts, and camps
 - (xii) Golf courses, riding stables, and water recreation
- (4) AOZ-B Obstruction Evaluation
 - (a) Under 14 CFR Part 77, submission of the Form 7460-1 by the land owner or representative sponsor to the FAA to initiate an Obstruction Evaluation/Airport Airspace Analysis is required as further defined in **Section 1.10 - Airport Overlay Zones – Obstruction Evaluation**.

32 - 7. Airport Overlay Zone C (AOZ-C) – Traffic Pattern Zone.

- (1) AOZ-C Purpose and Basis
 - (a) The Traffic Pattern Zone (AOZ-C) is designed to protect pilots and underlying landowners during aircraft operations in the VFR traffic pattern. AOZ-C protects aircraft from the potential establishment of obstacles that impact navigable airspace. AOZ-C is defined based on the expected performance of Category A flight training aircraft when performing procedures for flying a standard traffic pattern during touch and go training operations. AOZ-C is most likely to experience moderate aircraft noise created and frequent overflights by aircraft operating in the VFR traffic pattern.
- (2) AOZ-C Boundary
 - (a) AOZ-C is split into two areas, one east of the airport and one west of the airport. The boundaries closest to the runway for both portions begin at the extent of AOZ-A. The north and south extents of AOZ-C extend 5,200 feet from the ends of the primary runway, and align with the north and south extents for AOZ-A. The north and south boundaries for each area of AOZ-C provide protection to the area flown during the typical crosswind leg and base leg of a standard traffic pattern. The westernmost boundary of the west side AOZ-C is defined by Sheep Lane or 5,600 feet west of and parallel to the runway centerline of the primary runway. The easternmost boundary of the east side AOZ-C is defined by 1200 W or 5,100 feet east of and parallel to the runway centerline of the primary runway.
- (3) AOZ-C Land Use Requirements and Restrictions
 - (a) Avigation easement required for all new development to establish object height limitations.
 - (b) R-R-1, R-R-5, and R-R-10 residential uses are permitted. All other residential uses are not permitted.
 - (c) Land uses sensitive to noise (excepting permitted residential) and areas of public assembly are not permitted. All allowable residential land uses require sound attenuation construction practices to reduce indoor dB exposure levels. Noise sensitive land uses include:
 - (i) Residential
 - (ii) Mobile home parks
 - (iii) Transient lodgings
 - (iv) Educational institutions
 - (v) Religious institutions
 - (vi) Hospitals

(4) AOZ-C Obstruction Evaluation

(a) Under 14 CFR Part 77, submission of the Form 7460-1 by the land owner or representative sponsor to the FAA to initiate an Obstruction Evaluation/Airport Airspace Analysis is required as further defined in **Section 1.10 - Airport Overlay Zones – Obstruction Evaluation**.

32 - 8. Airport Overlay Zone D (AOZ-D) – Extended Traffic Pattern Zone.

(1) AOZ-D Purpose and Basis

(a) The Extended Traffic Pattern Zone (AOZ-D), like AOZ-C, is designed to protect pilots and underlying landowners during aircraft operations in the VFR traffic pattern. AOZ-D also protects aircraft from the potential establishment of obstacles that could impact navigable airspace. Exterior boundaries (farthest from the primary runway) for AOZ-D align with CFR 14 Part 77 regulations on traffic pattern protection criteria for Category A aircraft.

(2) AOZ-D Boundary

(a) AOZ-D surrounds all sides of the AOZ-C area where AOZ-C does not border AOZ-A. The north and south extents of AOZ-D are 7,590 feet (1.25 NM) from each associated end of the primary runway. The easternmost boundary of the east side AOZ-D is 7,590 feet (1.25 NM) from the primary runway centerline.

(3) AOZ-D Land Use Requirements and Restrictions

(a) Avigation easement required for all new development to establish object height limitations.

(b) R-R-1, R-R-5, and R-R-10 residential uses are permitted. R-1-10 residential use requires conditional approval by the Tooele County Planning Commission and/or the Board of County Commissioners. All other residential uses are not permitted.

(c) Land uses sensitive to noise (excepting permitted or conditionally approved residential) and areas of public assembly are not permitted. All allowable residential land uses require sound attenuation construction practices to reduce indoor dB exposure levels. Noise sensitive land uses include:

- (i) Residential
- (ii) Mobile home parks
- (iii) Transient lodgings
- (iv) Residential facilities for elderly and disabled persons
- (v) Educational institutions
- (vi) Religious institutions
- (vii) Hospitals

(4) AOZ-D Obstruction Evaluation

(a) Under 14 CFR Part 77, submission of the Form 7460-1 by the land owner or representative sponsor to the FAA to initiate an Obstruction Evaluation/Airport Airspace Analysis is required as further defined in **Section 1.10 - Airport Overlay Zones – Obstruction Evaluation**.

32 – 9. Airport Overlay Zone H (AOZ-H) – Height Restriction Zone

(1) AOZ-H Purpose and Basis

(a) The Height Restriction Zone (AOZ-H) provides a regulatory tool at the local level to ensure 14 CFR Part 77 regulatory requirements are followed and met by property owners when land is developed. AOZ-H also assists current and future landowners in recognizing the existence of an airport within the region and, therefore, the potential for aircraft overflights.

(2) AOZ-H Boundary

(a) The Height Restriction Zone (AOZ-H) ensures 14 CFR Part 77 regulatory requirements are followed and met by property owners when land is developed. The AOZ-H interior boundaries (for each runway end) are defined by a combination of the extents of AOZ-B and AOZ-C. The exterior boundaries of AOZ-H are located at a distance of 4 statute miles from the ends of the primary runway and measure 2 statute miles wide (1 statute mile laterally on each side of the runway perpendicular to runway centerline).

(3) AOZ-H Land Use Requirements and Restrictions

(a) No limitations beyond underlying zoning.

(4) AOZ-H Obstruction Evaluation

(a) Under 14 CFR Part 77, submission of the Form 7460-1 by the land owner or representative sponsor to the FAA to initiate an Obstruction Evaluation/Airport Airspace Analysis is required as further defined in **Section 1.10 - Airport Overlay Zones – Obstruction Evaluation**.

32 - 10. Airport Overlay Zones – Obstruction Evaluation.

Except as otherwise provided in this chapter, no structure or tree or other vegetation shall be erected, altered, allowed to grow, or be maintained in AOZ-A, AOZ-B, AOZ-C, and AOZ-D, as created by this chapter, to a height in excess of the applicable height limit as defined within the required aviation easement. Aviation easements are based upon conformance with TERPS departure surfaces and other FAR Part 77 Imaginary Surfaces for existing and planned future facilities for TVY as defined within the Airport Layout Plan.

Except as otherwise provided in this chapter, all zones (AOZ-A, AOZ-B, AOZ-C, AOZ-D, and AOZ-H) shall be subject to 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis by filing Form 7460-1 with the FAA as part of the permitting process. The following outlines required steps and potential outcomes:

(1) 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis (Form 7460-1) process will be completed prior to construction or alteration of structures on the property including mobile infrastructure. Conclusions of the FAA OE/AAA Form 7460-1 process and/or aviation easement process that demonstrate any proposed site development will limit the ability of TVY facilities to operate to their full existing capacity, or limit the ability of planned future facilities (as defined on the Airport Layout Plan) to operate at their full capacity are not permitted. Proposed development that is determined to limit Airport operations or capacity require amendment until impacts to TVY facilities are mitigated/eliminated. Examples of impacts to TVY facilities and operations that would require amendments to site plans include, but are not limited to, increased aircraft performance requirements, reduced usable runway length (landing or takeoff), and increases to flight procedure approach minimums.

(2) Proposed development, as required within this Chapter, will only be permitted upon successful completion of the 14 CFR Part 77 OE/AAA process by filing Form 7460-1 with the FAA, conveyance of an aviation easement, and approval by Tooele County. Any site layout or design changes occurring after FAA OE/AAA approval which alter locations and/or increase structural heights requires resubmission of updated plans and Form 7460-1 to FAA under the 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis process and new approval from Tooele County.

In accordance with 14 CFR Part 77, Form 7460-1 applications must be submitted to FAA in accordance with Tooele County process at least 45 days before the start date of any proposed construction or alteration or the date an application for a construction permit is filed, whichever is earliest. It is recommended that applications be filed at least 60-90 days before planned construction. The aeronautical study process includes evaluations by various lines of FAA business, and any identified impacts must be resolved before a final agency determination is issued. In addition, the proposal may warrant a 30-day public notice to obtain comments regarding aeronautical impacts. There is no guarantee that a final agency determination will be issued at the end of 45 days so filing early is encouraged. Because Tooele County cannot guarantee timely FAA reviews, the Tooele County review period begins upon receipt of the FAA's determination of the OE/AAA conducted subsequent to submission of Form 7460-1 by the proponent.

32 - 11. Hazard Marking and Lighting.

Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the property owner at his own expense to install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

32 - 12. Use Restrictions.

Notwithstanding any other provision of this chapter, no use may be made of land or water within the county that will create any electrical interference with navigational signals for radio communication between the airport and the aircraft, making it difficult for pilots to distinguish airport lights and others, resulting in glare in the eyes of the pilots using the airport, impair visibility in the vicinity of the airport, or otherwise in any way create a hazard or endanger the landing, takeoff or maneuvering of aircraft intending to use the airport.

32 - 13. Summary Table of Airport Overlay Zone Requirements.

AOZ	Definition	Requirements		Land Use Restrictions		
		Part 77	Avigation Easement	Residential	Other Sensitive Uses	All other land uses
A	Limited Development	FAA 7460 Process	Required for New Development	R-R-5, R-R-10 Permitted ⁴ / R-R-1 Conditional Use ⁴ / All Other Residential Not Permitted	Not Permitted ¹	Aviation Compatible Encouraged ³
B	Extended Approach	FAA 7460 Process	Required for New Development	R-R-1, R-R-5, R-R-10 Permitted ⁴ / All Other Residential Not Permitted	Conditional Use ⁴	Permitted ³
C	Traffic Pattern	FAA 7460 Process	Required for New Development	R-R-1, R-R-5, R-R-10 Permitted ⁴ / All Other Residential Not Permitted	Conditional Use ^{2,4}	Permitted ³
D	Extended Traffic Pattern	FAA 7460 Process	Required for New Development	R-R-1, R-R-5, R-R-10 Permitted ⁴ / R-1-10 Conditional Use ⁴ / All Other Residential Not Permitted	Permitted ^{2,4}	Permitted ³
H	Height Restriction	FAA 7460 Process	None Required	Permitted	Permitted	Permitted ³

Notes: 1) Educational facilities involving aviation education and those making use of airfield facilities are permitted. Medical facilities directly related to aviation that make use of airfield facilities are permitted. 2) Sound attenuation not required for outdoor recreation and public assembly facilities. 3) Permitted as defined within land use code. 4) Sound attenuation required for residential uses.

32 - 14. Development Standards.

No activities or uses shall be permitted in the AOA which create any of the following conditions:

- (1) Direct of steady light or flashing light of white, red, green, or amber color toward an aircraft engaged in takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport other than an FAA approved navigational signal light or visual approach indicator.
- (2) Cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport.
- (3) Generate smoke which could obstruct pilot vision or attract large concentrations of birds or which may otherwise affect safe navigation within this area.

(4) Generate electrical interference that may be detrimental to the operation of an aircraft and/or airport instrumentation.

Where sound attenuation is required within the Code, building design and construction shall reduce noise to a decibel level of 65dB or less using current Tooele County building code and design criteria. All project site plan submissions shall include construction techniques for reducing noise levels within the structure to at or below the defined limit.

32 -15. Airport Overlay Zone – Underlying Zone Limitations.

Uses allowed in Airport Overlay Zones are listed in **Section 1-15**. Those uses identified as "Permitted" (green) are allowed by right; provided, that they comply with all other requirements of this title. Uses identified as "Conditional Use" (orange) must be reviewed and approved by the planning commission pursuant to the standards and procedures for conditional uses set forth in **Chapter 7 – Conditional Uses** of this code and shall comply with all other applicable requirements of this title. Uses identified with a dash (red) are not allowed in Airport Overlay Zones. Uses not specifically listed in this section shall not be allowed in Airport Overlay Zones.

Tooele County Zoning District	Code	Zone A AOZ-A	Zone B AOZ-B	Zone C AOZ-C	Zone D AOZ-D	Zone H AOZ-H
Multiple Use	M-U-40	Not Permitted	Permitted	Permitted	Permitted	Permitted
Multiple Use	M-U-80	Not Permitted	Permitted	Permitted	Permitted	Permitted
Multiple Use	M-U-160	Not Permitted	Permitted	Permitted	Permitted	Permitted
Agricultural	A-5	Permitted	Permitted	Permitted	Permitted	Permitted
Agricultural	A-10	Permitted	Permitted	Permitted	Permitted	Permitted
Agricultural	A-20	Permitted	Permitted	Permitted	Permitted	Permitted
Agricultural	A-40	Permitted	Permitted	Permitted	Permitted	Permitted
Rural Residential	R-R-1	Conditional Use	Permitted	Permitted	Permitted	Permitted
Rural Residential	R-R-5	Permitted	Permitted	Permitted	Permitted	Permitted
Rural Residential	R-R-10	Permitted	Permitted	Permitted	Permitted	Permitted
Residential	R-1-21	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Residential	R-1-12	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Residential	R-1-10	Not Permitted	Not Permitted	Not Permitted	Conditional Use	Permitted
Residential	R-1-8	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Multiple Residential	R-M-7	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Multiple Residential	R-M-15	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Multiple Residential	R-M-30	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Neighborhood Commercial	C-N	Not Permitted	Permitted	Permitted	Permitted	Permitted
Commerical Shopping	C-S	Not Permitted	Permitted	Permitted	Permitted	Permitted
Highway Commercial	C-H	Not Permitted	Permitted	Permitted	Permitted	Permitted
General Development	C-G	Not Permitted	Permitted	Permitted	Permitted	Permitted
Manufacturing-Distribution	M-D	Permitted	Permitted	Permitted	Permitted	Permitted
Manufacturing General	M-G	Permitted	Permitted	Permitted	Permitted	Permitted
Travel Influence	T	Permitted	Permitted	Permitted	Permitted	Permitted
Hazardous Industrial	MG-H	Not Permitted	Conditional Use	Permitted	Permitted	Permitted
Railroad Travel Influence	R-T	Conditional Use	Conditional Use	Permitted	Permitted	Permitted
Highway Access	HA	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable
Recreation and Racing Sports	RRS	Not Permitted	Conditional Use	Permitted	Permitted	Permitted
Technology Industries	T-I	Conditional Use	Permitted	Permitted	Permitted	Permitted
Commercial Tourism	C-T	Conditional Use	Conditional Use	Permitted	Permitted	Permitted
Mining, Quarry, Sand, and Gravel Extraction	MG-EX	Not Permitted	Conditional Use	Permitted	Permitted	Permitted
Drinking Water Source Protection Overlay	DWSP	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable
Construction Debris Overlay	CDO	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable
Municipal Solid Waste	MSW	Not Permitted	Not Permitted	Conditional Use	Conditional Use	Conditional Use
Pine Canyon Environmental Overlay Zone		Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable
Large Wind Energy Systems		Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted

Legend	Not Permitted	Permitted
Conditional Use	Overlay - Not Applicable	

32 - 16. Permitting.

All uses shall obtain permits before construction or installation, as required by other county ordinances. No permit shall be granted that would allow the establishment or creation of an airport hazard, or permit a nonconforming use or structure to be made or become higher or become a greater hazard to air navigation than it was on the effective date of the ordinance codified in this chapter, or any amendment thereto, or than it is when the application for a permit is made.

32 - 17. Nonconforming Uses – Provisions Not Retroactive.

The regulations prescribed in this chapter shall not be construed to require the removal, lowering, or other changes or alterations in any structure or tree not conforming to the regulations as of the effective date of the ordinance codified in this chapter, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of the ordinance codified in this chapter and which is diligently prosecuted.

32 - 18. Nonconforming Uses – Residential Living Area Expansion.

Any existing residential use lawfully established prior to the passage of this ordinance, which is not permitted in the Airport Overlay Zone, shall be allowed a one-time expansion by up to no more than 25 percent of the principal dwelling floor area at the time it became nonconforming, subject to county permitting requirements. Principal dwelling floor area includes only conditioned livable space as defined within **Chapter 2 – Definitions** of this Code. Accessory buildings and space attached to the principal dwelling that is unsuited for sanitary human living conditions or used primarily for storage or items, livestock, or pets – such as garages, barns, pole barns, sheds, and other outbuildings – shall not be included in the allowable expansion calculation. All county permitting requirements must be met. Any permitted expansion of nonconforming residential use requires obstruction evaluation and issuance of an avigation easement per the standards within this code.

32 - 19. Nonconforming Uses – Marking and Lighting.

Notwithstanding the provisions of **Section 1.11 - Hazard Marking and Lighting**, the owner of any existing nonconforming structure or tree is required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary, by the airport owner, to indicate to the operators of aircraft in the vicinity of the airport hazards.

32 - 20. Nonconforming Uses – Permit Issuance Restrictions.

Whenever the county Community Development Director determines that a nonconforming structure has been abandoned for a period of twelve consecutive months, or physically deteriorated as to create unsafe conditions as defined within county Building Code standards, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.

32 - 21. Conflicting Provisions.

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, including land use zoning, whether the conflict is with respect to height of structure or trees, the use of land, or any other matter, the more stringent limitation or requirements shall govern and prevail.

32 - 22. Airport Overlay Zone Map.

The Airport Overlay Zones (AOZ-A, AOZ-B, AOZ-C, AOZ-D, and AOZ-H) shall be applied to all land within the Airport Overlay Zone designated on the zoning map, as periodically amended.

The official Airport Overlay Zone map, together with all explanatory matters thereon, is hereby adopted by reference and declared to be a part of this Title. The official airport overlay map is based on the airport area of influence as established by Salt Lake City Corporation, owner of the Tooele Valley Airport, in conjunction with the Federal Aviation Administration, and shall be on file in the offices of Tooele County.

Boundaries of Airport Overlay Zones, where required, shall be determined by scaling distances on the official airport overlay map. Where interpretation is needed as to exact location of Airport Overlay Zone boundaries, the zoning administrator shall make the necessary interpretation, subject to appeal to the Board of County Commissioners.

This article does not imply that areas outside the Airport Overlay Zone boundaries or land uses permitted within the airport overlay will be free from noise or hazards related to airport activities. Therefore, this article shall not create liability on the part of the county or its officers or employees for any damages that result from reliance on this article, or any administrative decision made under this article.

TOOOELE VALLEY AIRPORT OVERLAY ZONE

JANUARY 2021

VERSION 2.6

Prepared by RS&H for the Salt Lake
City Department of Airports

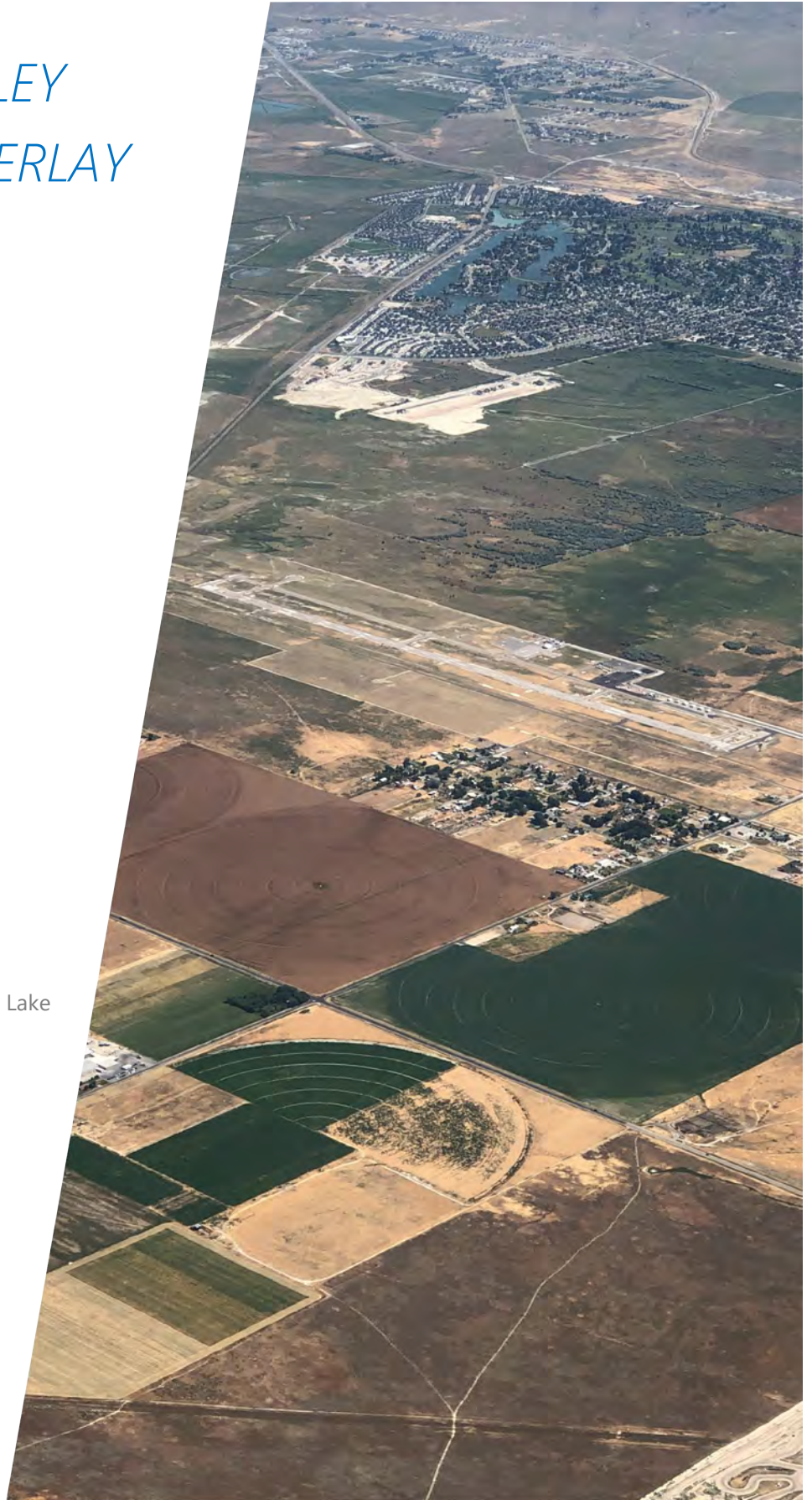


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TVY AIRPORT OVERLAY ZONE

1.1 INVENTORY

Salt Lake City (SLC) and the surrounding metropolitan area is currently experiencing a period of rapid population growth. As businesses and housing expand west of SLC into Tooele County to meet some of this demand, it is important that the Salt Lake City Department of Airports (SLCDA) work to minimize development of incompatible land uses near SLC-owned airports, in part by assisting neighboring jurisdictions impacted by those airports to develop and implement land use controls.

Tooele Valley Airport (TVY or Airport) is owned by Salt Lake City Corporation and is operated by SLCDA. TVY is located within Tooele County and the unincorporated community of Erda. Other populated areas within the immediate vicinity of TVY that have the potential to be impacted by flight operations include the cities of Tooele and Grantsville.

The purpose of this study is to understand where the highest potential for aircraft overflights to/from TVY are anticipated to occur and recommend an Airport Influence Area (AIA) boundary to protect both the community and the Airport. The AIA boundary can then be used to analyze which land uses within the area are impacted by aircraft overflights and recommend an Airport Overlay Zone (AOZ) District, which can then be adopted by the affected jurisdictions. Once an AOZ is developed, it will serve to protect current and future property owners from possible impacts related to aviation overflights. The AOZ will also protect the Airport from potential community encroachment which could threaten the Airport's ability to grow and better serve the needs of the community.

1.1.1 Data Collection

The first step in developing a justified and defensible TVY AOZ for Tooele County is the collection and analysis of available data resources. This information was gathered from a variety of resources including applicable state, county, and city reports, codes, and Geographic Information Systems (GIS) databases. Airport specific data was provided by SLCDA. Information gathered includes:

- » Airport-related data for TVY:
 - ♦ Physical infrastructure
 - ♦ Airport Geographic Information Systems (AGIS) data
 - ♦ Code of Federal Regulations (CFR) Part 77 surfaces
 - ♦ Terminal Instrument Procedures (TERPS) surfaces
 - ♦ Local zoning
 - ♦ Local existing and proposed land uses
 - ♦ Current aerial imagery
- » Airport-related data for TVY:
 - ♦ Aircraft flight tracks
 - ♦ 2001 TVY Land Use Study files for AIA/AOZ map
 - ♦ Wildlife boundary requirements (per draft Advisory Circular (AC) 150/5200-33C, *Hazardous Wildlife Attractants On or Near Airports*, January 18, 2019)
 - ♦ Known local development plans
- » Reports, studies, and land use codes:

- ♦ Tooele County Land Use Ordinance
- ♦ Salt Lake City Municipal Code 21A.34.040 AFPP Airport Flight Path Protection Overlay District
- ♦ Salt Lake County Code of Ordinances 19.70 AOZ Airport Overlay Zone
- ♦ West Jordan Municipal Code 13-6A Airport Overlay Zone
- ♦ FAA Airport Compliance Manual – Order 5190.6B Part IV, Land Use
- ♦ FAA Land Use Compatibility and Airports, A Guide for Effective Land Use Planning

1.1.2 2001 TVY Land Use Study Review, Validation, and Update

The intent of this section is to review, validate, update, and complement the documented conditions within the *2001 TVY Land Use Study* (**Appendix A**). The 2001 study began the process of developing a TVY AOZ and many of the findings within that study remain valid. However, since the 2001 study was performed certain conditions have changed in relation to protected regulatory airspace surfaces, critical airport facilities, federal guidance on wildlife protection near airports, and FAA obstruction notification processes. Additionally, the Tooele County Land Use Ordinance has been revised many times since 2001 and those revisions should be reflected in the preparation of the AOZ currently being proposed. Only those conditions from the 2001 study that are proposed to be addressed in this updated AOZ will be discussed. A “review and comment” version of the study will be provided in **Appendix A** with new content and noted changes to be summarized within this section of the report.

New and updated content are as follows:

- » Land Use Compatibility Issues – Safety (Pages 2-3) address CFR Part 77 Surfaces and AC 150/5300-13, *Airport Design*, but do not include FAA Order 8260.3D, *United States Standard for Terminal Instrument Procedures (TERPS)*, which are designed to protect instrument flight procedures to and from an airport.
- » Land Use Compatibility Issues – Safety (Pages 2-3) also lacks information related to AC 150/5300-18B, *General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards*, which is another new FAA resource with potential impacts to protecting critical airport facilities, infrastructure, and safe operations.
- » Since the 2001 study, new wildlife boundary guidance has been established by FAA under AC 150/5200-33C, *Hazardous Wildlife Attractants On or Near Airports*, January 18, 2019). Certain land uses that have the potential to attract hazardous wildlife on or near public-use airports should be considered when developing an AOZ. The AC also discusses airport development projects (including airport construction, expansion, and renovation) affecting aircraft movement near hazardous wildlife attractants.
- » Finally, the 2001 study does not address how the Airport is operated. No actual flight tracks, traffic pattern standards, or existing instrument approach procedures are reviewed for impacts to surrounding land uses. At the time of the 2001 study, the Instrument Landing System (ILS) did not exist, therefore, new navigational impacts must be reviewed to confirm adequate protection is accommodated in the AOZ.

- » **Appendix B** provides example letters resulting from the FAA Obstruction Evaluation (Form 7460-1¹) process.

It is recommended that the reader of this study thoroughly review **Appendix A** prior to proceeding in order to better understand the history of the AOZ development process and what changes have been addressed in the AOZ recommendations within this study.

Protection of FAA TERPS Surfaces

FAA Order 8260.3D *United States Standard for Terminal Instrument Procedures* (TERPS) defines the criteria for designing and evaluating instrument flight procedures. Evaluation criteria is broken out into different surfaces. Surface dimensions and slopes are determined by numerous factors such as, airport instrumentation, design aircraft, and topography. Additionally, the alignment of each surface can vary based on the runway configuration or other external factors. The design and evaluation for each surface is specifically tailored to meet the needs for each runway end, unlike FAR Part 77 imaginary surfaces, which are more broadly defined around the entire airport to protect navigable airspace from obstructions.

TERPS evaluation is broken out into general categories based on the aircraft phase in flight. These categories are: approach, departure, enroute and missed approach. The focus of this report will be on the approach, departure, and missed approach criteria as these are the most vulnerable to impacts by development on the ground. Each of these categories, along with their applicable surfaces, are defined in **Appendix E** in this report.

It is critical that FAR Part 77 be complemented with other evaluation criteria to provide a complete understanding of the airspace system and proper protection for aircraft during all phases of flight. When FAA evaluates the impact of a proposed structure through the FAA Obstruction Evaluation process, TERPS and other flight procedure design criteria are applied. TERPS surfaces may be lower to the ground and extend beyond the limits of FAR Part 77 imagery surfaces. Since TERPS surface dimensions and heights protect airspace specific to TVY and could be more restrictive than FAR Part 77 imaginary surfaces, the criteria in FAA Order 8260.3B will be considered when determining an AOZ.

Protection of Airport Safety Critical Areas

Another resource that needs to be considered when establishing an AOZ is FAA AC 150/5300-18B, *General Guidance and Specifications for Submissions of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information Systems Standards*. These guidelines describe the requirements for data collection conducted at airports in support of the FAA Airport Surveying – Geographic Information System (GIS) Program. The standards document provides information for the operation and safety of the National Airspace System (NAS). The International Civil Aviation Organization (ICAO) classifies these standards as critical and ICAO Annex 15 defines data as critical when “there is a high probability when using corrupted critical data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe.” The 2001 study did not include analysis of airport safety critical areas because it was not published by FAA until 2007.

¹ FAA Obstruction Evaluation process can be performed online at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

Wildlife Attractants on Airport

FAA AC 150/5200-33C, *Hazardous Wildlife Attractants on or near Airports* (published February 21, 2020) establishes minimum separation guidance between airports and wildlife attractants. FAA defines wildlife attractants as “Any human-made structure, land-use practice, or human made or natural geographic feature that can attract or sustain hazardous wildlife within the landing or departure airspace or the airport’s Airport Operations Area (AOA). These attractants can include architectural features, landscaping, waste disposal sites, wastewater treatment facilities, agricultural or aquaculture activities, surface mining, or wetlands.”

The FAA requires airport operators to maintain an appropriate environment for the safe and efficient operation of aircraft, which entails mitigating wildlife strike hazards by constructing fencing, modifying the landscape in order to deter wildlife, or by hazing or removing wildlife hazards to aircraft from congregating on airports². For airports the size of TVY, FAA recommends a separation distance of 10,000 feet from wildlife attractants. FAA also recommends five-statute miles between an airport’s AOA and the hazardous wildlife attractant³. As wildlife negatively impact the safe operation of aircraft, recommendations provided in AC 150/5200-33C will be considered in developing an AOZ.

Airport Flight Tracks and Traffic Pattern Operations

Airport flight tracks and traffic patterns are an important consideration in development of an AOZ because they include airspace near the airport where aircraft operations occur relatively low to the ground. This creates a high potential for conflicts to occur between flight operations and land uses underlying the tracks.

Tooele Valley Airport has a single runway that is oriented north to south. Generally, users planning to leave the Airport climb and head north, south or west. The mountainous terrain directly to the east makes flights in that general direction difficult, and sometimes impossible. Although TVY has an Instrument Landing System (ILS) on the north end of the runway for use during inclement weather operations, many of the operations at the Airport occur under Visual Flight Rules (VFR) which only require a pilot to meet a required distance from clouds using “see and avoid” practices. Specific VFR visibility and clearance requirements are described under 14 CFR 91.155 *Basic VFR Weather Minimums*. Flight plans are not required for VFR flights and therefore trackable data is not readily available to analyze historic patterns. VFR flight paths tend to cover a much broader area and go beyond the limits for FAR Part 77 and FAA Order 8260.3D criteria. Headings for arrivals and departures vary based on aircraft performance characteristics, topography, and pilot preference.

Operations during inclement weather, performed under Instrument Flight Rules (IFR), require a flight plan to be filed with FAA. Therefore, actual flight paths for IFR operations are predictable. Because TVY serves a role in regional flight training operations, many of the IFR operations occurring at TVY are assumed to be training flights which actually occur during good weather conditions. Since IFR flight paths into and from TVY are fairly well understood, they can easily be considered in the AOZ analysis. VFR flight paths are far less predictable than IFR flight paths and will be scrutinized during analysis of an AOZ. VFR flight tracks in

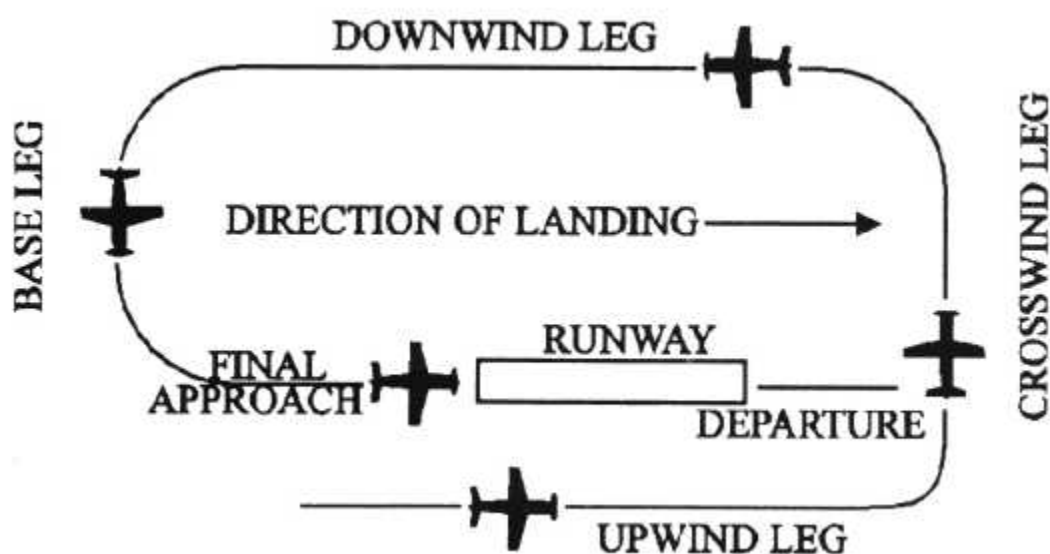
² FAA Advisory Circular 150/5200-33C, *Hazardous Wildlife Attracts on or near Airport*; Chapter 1.1.1

³ FAA Advisory Circular 150/5200-33C, *Hazardous Wildlife Attracts on or near Airport*; Chapter 1.4

this study will be assumed using standard traffic pattern guidance and input from airport users. These assumptions will be incorporated into the development of final recommended AOZ boundaries to the degree reasonable and possible.

Pilots wishing to stay local have the option to stay in the Airport's traffic pattern. The traffic pattern at TVY is often used repetitively by pilots performing touch and go landings/takeoffs for training or to meet FAA certificate currency requirements. Standards for operating in a traffic pattern instruct pilots to make left hand turns. The prevailing winds at the time will determine if the Airport will operate in north or south flow traffic. Flow direction determines if the traffic pattern is on the east or west side of the Airport. The size of the traffic pattern can vary based on the number and size of aircraft operating in the pattern. Generally, the aircraft will reach an altitude of 1,000 feet about the established airport elevation. **Figure 1-1** shows the standard left-hand configuration for an airport traffic pattern. VFR traffic patterns will be examined and considered when developing the AOZ.

FIGURE 1-1
STANDARD AIRPORT TRAFFIC PATTERN



Source: Aeronautical Information Manual – AIM 2020

1.1.3 Tooele County Land Use Ordinance Summary

The Tooele County Land Use Ordinance (Tooele County Code) is, at its essence, a legally enforceable land use control tool which is sanctioned by the State of Utah under the Utah Land Use, Development, and Management Act (LUDMA). There are two versions of the act. The Municipal version (MLUDMA) governs municipalities and is found under Title 10, Chapter 9A of the Utah Code. The County version (CLUDMA) governs all counties including Tooele County and it is found under Title 17, Chapter 27A⁴ of the code. As required under CLUDMA, Tooele County has an established General Plan which outlines County planning

⁴ Retrieved from <https://propertyrights.utah.gov/the-land-use-development-and-management-act-ludma>, 26, April 2019

goals and assists decision-makers in interpreting the local community vision when evaluating future development and growth needs. The *Tooele County General Plan* was last updated in June 2016.

TVY Airport is located on land governed by the Tooele County Code⁵, which was adopted on May 3, 1994 and has been regulating land uses for the County ever since. As of May 2019, the Tooele County Code has been amended on a regular basis for a total of 94 revisions⁶. The Code contains 31 chapters, with Chapter 14 pertaining to Zoning Districts. The following is a brief summary of the Tooele County Code and specific areas where TVY is addressed, or may be addressed, in the future.

Chapter 1 of the Code covers *General Provision* items such as the purpose, requirements, enforcement, penalties, amendments, permits, etc. This chapter establishes the framework for administering the land use code.

Chapter 2 of the Code simply provides context and *Definitions* for interpreting the language found within the Code. Any airport specific terminology that would not be easily recognized by the general public, such as "Part 77" or "Airport Influence Area" will need to be added to this chapter when an amendment is made to incorporate an Airport Overlay Zone District.

Chapter 3 of the Code includes the *General Plan, Zoning, and Amendments*. This covers the Tooele County General Plan, responsibilities of the Planning Commission, the public process and procedures to apply and amend the plan and zoning map, the plan's effects on public uses, and the Board of County Commissioners role and process for hearings. This is the process which will be followed to implement amendments for the TVY AOZ.

Chapter 4 of the Code provides *Supplementary and Qualifying Regulations*. Chapter 4 Section 4-11 covers exceptions to height limitations, Section 4-13 covers maximum height of accessory buildings, and Section 4-15 covers maximum height of fences, walls, and hedges. Each section references buildings and structures within the zoning district in which they are located. It is recommended that during development of the TVY AOZ district legal counsel review these sections for possible amendment to specifically reference the TVY AOZ district in order to ensure protection against airspace obstructions.

Chapter 5 explains *Nonconforming Buildings and Uses*. The purpose of this chapter is to permit but limit the expansion of land uses which do not conform to Code regulations but existed prior to implementation of the Code. This chapter is not impacted by the implementation of a TVY AOZ code amendment since the Code has been enforced since 1994.

Chapter 6, *Off-Street Parking Requirements*, establishes off-street parking requirements, access, and maintenance, among other items related to site development with parking needs. This chapter is not impacted by a TVY AOZ amendment since any anticipated update will not change off-street parking requirements.

⁵ Tooele County Land Use Ordinance is available online at <http://www.co.tooele.ut.us/Building/landuseord.html>

⁶ Tooele County Land Use Ordinance Table of Changes http://www.co.tooele.ut.us/PDF/Land_Use/table.pdf

Chapter 7 of the Code covers *Conditional Uses*. As described within the chapter, a conditional use is one which requires review by the Tooele County Zoning Administrator and permit approval by the Tooele County Planning Commission. Permission can be granted, granted with conditions, or denied. If deemed necessary by the commission, a public hearing will be held. Decisions can be appealed to the district court. As described in Section 7-3, the relationship of this chapter to a TVY AOZ district would be found within the tables of permitted and conditional uses found at the end of each chapter within the Code. Reference to the TVY AOZ is recommended to be included to ensure all land uses within the overlay district are compatible.

Chapter 8 of the Code covers *Nuisances*. The purpose of this chapter is to define uses considered as a nuisance and the enforcement provisions to prevent them. Nothing within this chapter would need to be amended for the TVY AOZ district since the definition of a nuisance will not change.

Chapter 9 of the Code covers *Planned Unit Developments* (PUDs). A PUD is a distinct category of conditional use intended to encourage and promote efficient use of land, continuity of utility services, and encourage innovation in planning and building of all types of development. Any development approved within this Code context should be subject to conditions imposed by a TVY AOZ district. Language referencing a TVY AOZ district is recommended to be included within the PUD chapter of the Code.

Chapter 10 of the Code describes regulations for *Mobile and Manufactured Homes*. It ensures mobile and manufactured homes are included in the spectrum of housing options and treated like any other type of residential construction, as is practical. It is possible that amendments to this chapter would be required for implementation of the TVY AOZ district. This is because this Code works to disallow the prohibition of mobile and manufactured homes within the housing stock of Tooele County zoned land so long as certain criteria are met. Any sound attenuation requirements which may be implemented under an AOZ may result in prohibition of mobile and/or manufactured homes due to construction standards.

Chapter 11 of the Code covers *Recreational Uses and Recreational Coach Parks* location and use. It is recommended that appropriate language be added to this chapter to limit or prohibit this use within certain areas of the TVY AOZ to be defined later in this study.

Chapter 12 of the Code establishes rules for *Site Plan Review* with the purpose of promoting safe and efficient use of land, orderly and harmonious appearance throughout the county, and the advancement of the value of property. It is important that site plan review regulated within this chapter consider TVY AOZ regulations and that it is referenced in this chapter of the Code.

Chapter 13 discusses regulation of *Construction Subject to Geologic, Flood, or other Natural Hazard*. This primarily focuses on Planning Commission or Department of Engineering requirements and prevention of damage related to those hazards. This chapter has no direct relation to the implementation of the TVY AOZ district because it only intends to ensure development does not take place in areas where geological/hydrological hazards can be expected to occur, such as flood-prone areas.

Chapter 14 establishes and sets rules for *Zoning Districts* within Tooele County. This is one of the primary impacted chapters regarding implementing a new TVY AOZ district. Like the Drinking Water Source Protection Overlay District and the Construction Debris Overlay District, creation of Airport Overlay Zoning district adds new requirements and limitations on the development of underlying land. It also defines how the AOZ will be laid out, including rules for locating boundaries.

Chapter 15 of the Code covers *Multiple Use, Agriculture, and Rural Residential District* regulations. Purpose, restrictions, and applicability for each zone are defined along with definitions for understanding the codes and symbology used within the chapter's tables. The chapter tables define a specific use within a usage category and whether it is prohibited, allowed, or conditionally allowed. It is important that reference to a TVY AOZ district be made and incorporated into reviews required of these land uses.

Chapter 16 of the Code describes regulations regarding *Residential and Multiple Residential Districts*. The layout of this chapter is like Chapter 15 in that it defines purpose, restrictions, and applicability for each zone as well as definitions for understanding the codes and symbology used within the chapter's tables. The chapter tables define a specific use within a usage category and whether it is prohibited, allowed, or conditionally allowed. It is important that reference to a TVY AOZ district be made and incorporated into reviews required of these land uses.

Chapter 17 of the Code describes *Commercial, Industrial, and Hazardous Industries Zoning Districts*. The content and makeup are like the previous two chapters, except they relate to the three land use categories listed in the title. Also like the previous two chapters, it is important that reference to a TVY AOZ district be made and incorporated into reviews required of these land uses.

Chapter 17A of the Code defines *Commercial Tourism, Recreation and Racing Sports, and Technology Industries Zoning District*. Like the previous chapters describing land use categories and uses, this chapter does so for the three land use categories listed in the title. Also like the previous chapters, it is important that reference to a TVY AOZ district be made and incorporated into reviews required of these land uses.

Chapter 18 of the Code describes regulations related to *Hazardous Waste Industries*. The creation of a TVY AOZ district does not impact the language within this chapter since the AOZ would not contain any specific restriction on these industries.

Chapter 19 of the Code regulates *Large Wind Energy Systems*. Because regulation of structure height is so critical to the TVY AOZ district implementation, any new amendments should include reference to the TVY AOZ within Chapter 19 in order to protect the safety and integrity of the Airport's operation and infrastructure.

Chapter 20 of the Code describes *Residential Facilities for Elderly and Disabled Persons* regulations in order to establish an administrative process for the approval of permits to operate residential facilities for elderly and disabled persons. Reference to a TVY AOZ is important in this section because FAA land use compatibility guidance seeks to protect these types of uses from potential noise and emissions caused by aircraft operations and the TVY AOZ district will seek the same end.

Chapter 21 of the Code defines a *Wildland/Urban Interface Overlay Zone (WUI)*. The purpose of this overlay zone is to provide minimum criteria for the protection of life and property from a wildfire. This chapter defines development restrictions, alternative building materials or methods, special building construction regulations, and dimensional restrictions for all land uses underlying this overlay zone. The TVY AOZ will function in a similar way to the WUI. Because the WUI is an overlay zone, the TVY AOZ will have no impacts on this chapter, other than it may affect the same lands underlying the WUI.

Chapter 22 establishes a *Railroad Travel Influence District*. The purpose of this regulation is to encourage and require land uses and density of uses adjacent to specific, historic railroad sidings, railroad spurs, and railroad tracks which will facilitate free and unimpeded railroad traffic flow and allow reasonable and harmonious uses on those adjacent lands as well as insuring attractive and orderly views from adjacent developments. The TVY AOZ would serve a very similar purpose of protecting airport users and adjacent property owners from impacts on either side.

Chapter 23 defines a *Highway Access District* including the purpose, application, and standards. This is another overlay district within the Code which regulates access to land contiguous to highways in order to facilitate minimal impediments to traffic flow, mitigate potential and actual conditions that contribute to vehicular accidents, and allow reasonable and harmonious uses on such lands as well as to insure unobstructed views of access points. Like the Airport Overlay Zone to be proposed within this study, the Highway Access District sets limitations on landowners use of property for the sake of public health, safety, and welfare. The implementation of a TVY AOZ does not impact the language within this portion of the Code because it is itself an overlay district which adds a layer of regulatory requirements.

Chapter 24 defines *Sign Regulations* in the County for the purpose of safety and preservation of aesthetics. The TVY AOZ and signage regulations are both overlay districts and will not conflict with one another since each one builds on the other. Therefore, no additional language will be required within the signage regulations for implementation of the TVY AOZ because it is itself an overlay district which adds a layer of regulatory requirements.

Chapter 25 content covers the *Drinking Water Source Protection Overlay Zone* for the purpose of minimizing negative effects on limited ground water resources used by public water systems. Again, this overlay zone and the TVY AOZ will not conflict with one another since the AOZ is just another layer of regulation.

Chapter 26 identifies rules for *Construction Debris and Municipal Solid Waste Zones*. This regulation provides policies, standards, requirements, and procedures to regulate and control the location and expansion of non-hazardous waste facilities to promote public health, safety, and welfare. Implementation of the TVY AOZ does not conflict with this regulation and no additional language regarding the TVY AOZ is required within this Code chapter because, like the AOZ, it is itself an overlay district which adds a layer of regulatory requirements.

Chapter 27 describes regulations for the *Mining, Quarry, Sand, and Gravel Excavation Zone*. This zone assures that operations of such sites are not encroached upon by surrounding non-compatible land uses. This Code section is not impacted by adoption of a TVY AOZ because it is itself an overlay district which adds a layer of regulatory requirements.

Chapter 28 describes regulations for *Siting of Wireless Telecommunications Facilities*. Rules within this ordinance eliminate ability of wireless towers to site where airport operations or communications can be interfered with, so airport safety is already included within this chapter. Additional reference to a TVY AOZ within 28-5 (4) *Facility Types and Standards* and 28-10 (2) *Interference with Other Communications* is recommended to ensure continuity and consistency within all appropriate Code regulations.

Chapter 29 describes the *Pine Canyon Environmental Overlay Zone* regulations as they relate to monitoring development and environmental remediation requirements in the Pine Canyon Area. This regulation and a TVY AOZ do not create conflicts within the Code because it is itself an overlay district which adds a layer of regulatory requirements.

Chapter 30 is reserved and would provide a logical place to integrate a new TVY AOZ within the Code, tentatively titled *Tooele Valley Airport Overlay Zone District*.

Chapter 31 describes *Planned Community Zones* and provides the County with a regulatory tool to allow large properties to be developed in accordance with a specific plan of design. This tool is similar to the Planned Unit Development regulation described in Chapter 9 but designed to create specific types of zones including 1.) Neighborhood, 2.) Village, 3.) Town Center, 4.) Business research, Technology, or Educational Campus, or 5.) Open Space. A TVY AOZ district would not need to be specifically referenced within this section of the Code because it does not impact the creation of Planned Community Zones.

In summary, integration of a TVY AOZ into the existing Code will necessitate consideration toward other sections of the document. At a minimum, ordinance language will likely require updates within the followings Code sections:

- » Chapter 2 – *Definitions*
- » Chapter 4 – *Supplementary and Qualifying Regulations*
- » Chapter 7 – *Conditional Uses*
- » Chapter 10 – *Mobile and Manufactured Homes*
- » Chapter 12 – *Site Plan Review*
- » Chapter 14 – *Zoning Districts*
- » Chapter 19 – *Large Wind Energy Systems*
- » Chapter 28 – *Siting of Wireless Communication Facilities*

These recommendations are not intended to be exhaustive. Instead they are preliminary observations to recognize potential impacts that a TVY AOZ might have to the existing Tooele County Land Use Code. It is recommended that Tooele County Planning and Zoning Department, as well as Tooele County legal counsel, review and identify all impacts to the Code. Additional verbiage updates, additions, and/or deletions may be sought after review by Tooele County legal counsel.

1.2 IMPLEMENTATION STRATEGY

An implementation strategy is critical to move the TVY AOZ from a plan to adoption by land use authorities as a legally enforceable land use ordinance. It is equally important to develop a strategy for communicating the protection and benefits provided by an AOZ to the local governments and the communities they represent. Local land use authorities have the ultimate say over whether to enact an amendment to local ordinances and official zoning maps by incorporating a new AOZ. For these reasons, an implementation strategy must be established early to ensure community benefits of the recommended AOZ, and zoning language, is properly communicated to the community representatives whose support is necessary to incorporate it into the local codes.

By its very nature, the TVY AOZ will be certain to cover a large area of land which crosses over multiple jurisdictions. The primary land use authority impacted by any proposed AOZ will be Tooele County. Additional surrounding jurisdictions include Tooele City and Grantsville, as well as the unincorporated Erda community. The following sections will describe process requirements related to proposing and adopting land use regulation and zoning map amendments.

1.2.1 Tooele County Zoning Amendment Process

The process to integrate a new TVY AOZ into Tooele County land use regulations requires updates to two distinct elements of the regulations:

1. Narrative description of the regulation
2. Official zoning map update

Chapter 3 – *General Plan, Land Use Ordinance, Zoning Maps and Amendments*, describes the role of the Tooele County Planning Commission as well as the process required to amend both elements of the regulations. Sections 3-6 through 3-14 of the chapter describe the full process for proposing and implementing amendments to the Code. The following is a summary of steps involved in performing those actions.

Context for Code and Zoning Map Amendments

Chapter 3, Section 3-6 – Land Use Ordinance establishes that all land use ordinances shall “further the intent of the Tooele County General Plan.” This is important because all submittals for review within this process MUST identify and cite specific areas of the Tooele County General Plan (General Plan) in which they work to progress the community vision. Any new ordinance brought forward to authorities for review is certain to fail if it does not promote the vision found within the General Plan.

The Board of County Commissioners of Tooele County (Board of County Commissioners) has final authority on reviewing and approving all proposed land use ordinance and zoning map amendments. All amendments to the Code and zoning map must be proposed or first submitted to the Tooele County Planning Commissions for recommendation by the Board of County Commissioners. All amendments by the Board of County Commissioners must be in accordance with procedures set out in Utah Code 17-27a-502 and 17-27a-205(1)(b).

Initiation of Land Use Ordinance Text and Zoning Map Amendments

A proposal for an amendment to the land use ordinance may be initiated by:

1. The Planning Commission;
2. A county official through a request to the Planning Commission; or
3. An individual, through an official application to the Planning Commission.

Each applicant bears the burden of proof to show that the amendment requested furthers the goals and policies of the General Plan.

The following list outlines the process SLCDAs would follow to initiate land use ordinances and zoning map amendments:

1. Engage with Tooele County Community Development Staff to discuss requirements for implementing changes to the land use ordinance.
2. File an "Application to Amend the Land Use Ordinance of Tooele County" (See **Appendix C**) with the Tooele County Department of Engineering for staff and public review. A fee of \$500 is assessed upon filing. Applications should be supplemented with any additional information required by the Planning Commission.
3. Planning Commission will fulfill all public notification requirements including scheduling of a public hearing to consider adoption or modification of all land use ordinances. During the public hearing, Planning Commission will prepare and recommend action to the County Board of Commissioners.

Concurrently, the following list outlines the process SLCDAs would follow to initiate zoning map amendments:

1. Reach out to Tooele County Community Development Staff to discuss requirements for implementing changes to the land use ordinance.
2. File an "Application to Amend the Zoning Map of Tooele County" (See **Appendix D**) with the Planning Commission Secretary or Tooele County Department of Engineering for staff and public review. A fee of \$500 is assessed upon filing. Applications should be supplemented with any additional information required by the Planning Commission. The application lists requirements which must be addressed, and parcel maps obtained from the Tooele County Recorder's Office MUST be included with this application. All applications MUST address the following (strike through lines understood to be labeled as "Not Applicable (N/A)" are not relevant⁷ to the TVY AOZ):
 - a. General existing site characteristics including ownership, topography, soils, drainage, vegetation ~~and other physical characteristics of the area proposed to be changed;~~
 - ~~b. A legal description of the area to be zoned;~~
 - c. Types of land uses permitted, conditional, or prohibited in the current zoning district and the proposed zoning district;
 - d. Existing transportation patterns including public and private roads and internal and external circulation patterns, rights-of-way, easements and parking;

⁷ Verify all strikethrough elements are not applicable with Tooele County planning staff.

- e. Existing and proposed land uses, open spaces, impervious surfaces including streets, parking areas, structures and buildings with a general description of size area, intensities/densities, and height, and proposed storm-water drainage facilities;
 - f. Existing ~~and proposed~~ utilities and infrastructure;
 - g. The relationship of the proposed zone change with the Tooele County General Plan and specifically how the proposed zone change would conflict, conform, complement or otherwise affect the General Plan as well as any special studies that are designed to further detail the Tooele County General Plan in a specific area;
 - h. An area map showing adjacent property owners and existing land uses within 500 feet of the area proposed to be rezoned;
 - i. The location, description and acreage of land uses;
 - j. The approximate location and number of residential units along with approximate square footage, density and height;
 - k. The approximate location and square footage of non-residential buildings;
 - ~~l. A calculation of the approximate amount of open space both before and after build-out construction, indicating areas of expected open space and new landscaping, and including maintenance plans for these areas;~~
 - m. If the site has unusual or unique natural features, a demonstration of how ~~proposed development~~ preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural draining patterns, ~~and if appropriate, geotechnical studies submitted to indicate soil types, depth of bedrock and slope stability;~~
 - n. A description of the availability of ~~culinary and irrigation water~~, community facilities such as schools, fire protection services and other types of facilities ~~that would serve the rezoned area~~ and how these facilities are affected by this proposal;
 - ~~o. The approximate location and size of storm water detention and retention areas and calculations on the impact to those systems as a result of the change in density and use of land;~~
 - ~~p. An indication of the construction schedule of any project proposed;~~
 - ~~q. For multi-phased projects, a phasing plan that describes the anticipated timing and geographical extent of each phase;~~
 - ~~r. A detailed traffic study showing the vehicle trips per day on average at build-out and a determination how the project would significantly alter existing traffic patterns or volume;~~
 - ~~s. For applications involving a PUD, a table of proposed dimensional standards for the proposed land uses or phases including lot sizes and frontages, building heights and intensities, and setbacks and a description of any requested exceptions to the requirements of the underlying zone; and~~
 - t. Any other study or information required by the Planning Commission or zoning administrator.
3. Planning Division of the Engineering Department reviews proposal and submits report to applicant and Planning Commission. Impacts of proposed change on development of the land within the community and county is analyzed for conformity with General Plan among many other criteria.

4. Planning Commission will fulfill all public notification requirements including scheduling of a public hearing to consider adoption or modification of all zoning map amendments. During the public hearing, Planning Commission will prepare and recommend action to the County Board of Commissioners. Planning Commission may approve or deny applications as proposed. Planning Commission may also modify proposals to exclude those properties in the rezoning of which do not, in the opinion of the Planning Commission, meet the criteria and intent of the general plan. Such recommendation shall specifically address the impact such a change will have on the resources and infrastructure within the County.

It is important to understand that, according to Code Chapter 3 Section 3-11, "a final determination regarding an application to amend the zoning map shall preclude the filing of another application to amend the zoning map to reclassify the same parcel of property, or any portion thereof to the same zone classification within one year of the date of the final decision unless the Planning Commission finds that there has been a substantial change in the circumstances or sufficient new evidence to merit consideration of a second application within the one-year time period."

Finally, after review of the decision of the Planning Commission, the Board of County Commissioners may affirm, reverse, alter, or remand for further review and consideration, any action taken by the Planning Commission. An appeal process exists as recourse for applicants dissatisfied with outcomes. Any person can appeal Board of County Commissioners decisions to the district court regarding amendment to land use ordinances or zoning maps by filing an appeal in writing within 30 days following the date upon which the decision is made.

1.2.2 Additional Governing Bodies

Although Tooele County is the primary authority with land use controls in the immediate vicinity of the Airport, identifying the role, authority, and process of land use controls in place at Erda, Grantsville, and Tooele City is important for enacting a TVY AOZ. Dependent upon the final determined boundary of the AOZ, a process may be required with those political entities to create proper zoning controls within all representative municipalities.

Erda

Erda, Utah is an unincorporated census-designated place and does not have any unique land use controls in place. Therefore, planning and zoning authority in Erda is controlled by Tooele County land use regulations and any Code and zoning map amendment would govern land use within Erda. There may come a time that Erda incorporates to form its own township government with planning and zoning controls. Any such governing bodies should be included in the process of proposing and adopting a TVY AOZ ordinance identical to what would be adopted by Tooele County and adjacent communities.

Grantsville

Grantsville is an incorporated, self-governing entity with a planning and zoning department. Land uses are regulated through ordinances under the "Land Use Development and Management Code". Grantsville land use controls currently make no reference to TVY operations and there are no existing regulations related to the Airport. It is highly recommended that, upon Tooele County adoption of a final TVY AOZ, Grantsville adopt an identical amendment within its ordinance and zoning map. In order to ensure

successful protection of landowner property and airport operations, all rules in place regarding land use controls related to TVY must be consistent across all impacted jurisdictions.

Chapter 3 of the Grantsville Land Use Development and Management Code addresses decision making bodies and officials. Like Tooele County, Grantsville land use policies are guided by a General Plan. All proposed amendments are reviewed by a Planning Commission and a public hearing is held on the proposed land use ordinance and/or zoning map amendment. The Planning Commission can then recommend (or not) the proposed amendments for approval by the City Council. City Council has ultimate approval, denial, or modification authority. Procedures for amendments to the Grantsville Land Use Development and Management Code can be found in Chapter 3 – *Decision Making Bodies, and Officials*⁸.

Tooele City

Tooele City is an incorporated, self-governing entity with a Department of Community Development. The Tooele City Planning Division is responsible for applying City ordinances related to land use. Tooele City Code Title 7 – *Uniform Zoning of Tooele City* addresses regulations related to land use. City Code 7-13 – *Special Purpose Overlay Zoning Districts* regulates the City's ability to establish overlay zoning districts for specific purposes that apply on top of the base zoning districts. According to the Code, "These overlay zoning districts may be established in other chapters of this Title based on their intended purpose." Since the City does not currently have a mechanism in place to protect TVY operations and landowners within the vicinity of the Airport, it is important to note that the Tooele City Code has the language in place to allow for adoption of a future TVY AOZ. As stated before, for the protection of landowners and the Airport alike, it is critical that any regulation adopted by Tooele City be consistent with regulations adopted by Tooele County.

The procedures required to amend the Tooele City Zoning Ordinance and Zoning Districts Map are outlined in City Code 7-1A⁹. At a high level, the governing hierarchy and City Code amendment procedures for Tooele City are very similar to Tooele County. Planning Division staff are responsible for reviewing and processing any applications for zone changes. The Tooele City Planning Commission then makes recommendations to City Council on applications. Public hearings are held for all proposed zoning amendments to gather input from the community. The City Council then has the ultimate decision-making authority on approval, denial, or modification of applications.

1.1.1 Coordination Information for Local Land Use Authorities

The following sections contain information pertinent to coordinating activities related to implementing the TVY AOZ, including contact lists for elected and appointed positions within Tooele County, Tooele City, and Grantsville.

⁸ Grantsville Land Use Development and Management Code – Chapter 3 can be found online at https://grantsville.municipalcodeonline.com/book?type=landordinances#name=Chapter_3_Decision_Making_Bodies_And_Officials, Retrieved June 25, 2019

⁹ Tooele City Code 7-1A – Amendments to the Tooele City General Plan, Zoning Ordinance, and Zoning District Maps can be found online at <https://tooelecitey.org/city-departments/attorneys-office/city-code/title-7-uniform-zoning-of-tooele-city/title-7-chapter-1a-amendments-to-the-tooele-city-general-plan-zoning-ordinance-and-zoning-districts-map/>, Retrieved June 25, 2019

Tooele County

1.1.1.1.1 Tooele County Community Development – Planning and Zoning

Mailing Address and Location:

Community Development
47 South Main Street, Room #208
Tooele, UT 84074

Phone: (435) 843-3160

Fax: (435) 843-3252

Office Hours: Monday through Friday - 8:00am to 5:00pm

County Staff:

Rachelle Custer (Director of Community Development)

Jeffrey Miller (Planner)

Email: jcmiller@tooeleco.org

1.1.1.1.2 Tooele County Planning Commission

Meetings:

The Tooele County Planning Commission holds regular meetings on the 1st and 3rd Wednesday of each month at 7:00pm in the Auditorium, on the first floor of the Tooele County Building at 47 South Main Street, Tooele, Utah.

Tooele County Planning Commission Board Members

- » Blair Hope - Term Expires 12/31/2021
- » John H. Wright - Term Expires 12/31/2023
- » Brad Bartholomew - Term Expires 12/31/2021
- » Lynn Butterfield - Term Expires 12/31/2022
- » Wade Jacobs - Term Expires 12/31/2022
- » Larry Brown - Term Expires 12/31/2020
- » Jessica Blundell - Term Expires 12/31/2019
- » Curt Jensen (Alternate) - Term Expires 12/31/2020
- » Paul Kunz (Alternate) - Term Expires 12/31/2021
- » Michael Pressley (Alternate) - Term Expires 12/31/2020

Phone: (435) 843-3100 (Tooele County Main)

Email: tooelecountyboard@tooeleco.org

1.1.1.1.3 Tooele County Board of Commissioners

County Commissioners:

Commissioner Kendall Thomas

Mobile: (435) 830-6016

Email: kthomas@tooeleco.org

Commissioner Tom Tripp

Phone: (435) 843-3150

Email: tripp@tooeleco.org

Commissioner Shawn Milne

Phone: (435) 243-7313

Email: smilne.tooelecounty@gmail.com

Address and Location:

Tooele County Commission

47 South Main, 3rd Floor

Tooele, UT 84074

Phone: (435) 843-3150

Fax: (435) 843-3400

Office Hours:

Monday through Friday (except holidays) - 8:00am to 5:00pm

Tooele City

1.1.1.1.4 Tooele City Community Development – Planning and Zoning

Address:

90 North Main Street

Tooele, UT 84074

Phone: (435) 843-2132

Fax: (435) 843-2139

City Staff:

Jim Bolser (Director of Community Development)

Email: jimb@tooelecity.org

Andrew Aagard (City Planner, Zoning Administrator)

Phone: (435) 843-2132

Email: andrewa@tooelecity.org

Roger Baker (City Attorney)
Email: rogerb@tooelecitey.org

Paul Hanson (City Engineer)
Email: paulh@tooelecitey.org

1.1.1.1.5 Tooele City Planning Commission

Meetings:

The Tooele City Planning Commission generally meets on the second and fourth Wednesday of each month at 7:00pm. Meetings are held at Tooele City Hall, 90 North Main Street, in the City Council Chambers. (Contact City Planning and Zoning Administrator at (435) 843-2167 to get items on the agenda.)

Tooele City Planning Commission Members

- » Tony Graf (Chair)
- » Chris Sloan (Vice-Chair)
- » Matt Robinson
- » Melanie Hammer
- » Shauna Bevan
- » Phil Montano
- » Tyson Hamilton
- » Bucky Whitehouse (Alternate)
- » Ray Smart (Alternate)

1.1.1.1.6 Tooele City Council

Meetings:

The City Council generally meets on the first and third Wednesday of each month at 7:00pm. Meetings are held at Tooele City Hall, 90 North Main Street, in the City Council Chambers.

City Council Members:

Melodi Gochis – Term Expires 2021

Phone: (435) 830-9611

Email: mgochis@tooelecitey.org

Dave McCall – Term Expires 2019

Phone: (435) 496-0458

Email: dmccall@tooelecitey.org

Brad Pratt – Term Expires 2019

Phone: (435) 840-8173

Email: bpratt@tooelecitey.org

Steve Pruden – Term Expires 2019

Phone: (435) 843-5649

Email: spruden@tooelecitey.org

Scott Wardle – Term Expires 2021

Phone: (435) 840-1805

Email: swardle@tooelecitey.org

Address and Location:

90 North Main Street

Tooele, UT 84074

Phone: (435) 843-2100

Fax: (435) 843-2109

Grantsville

1.1.1.1.7 Grantsville Community Development – Planning and Zoning

Address and Location

Grantsville City Corporation

429 East Main St.

Grantsville, UT 84029

City Staff:

Kristy Clark

Phone: (435) 884-4604

Fax: (435) 884-0426

Email: kclark@grantsvilleut.gov

1.1.1.1.8 Grantsville Planning Commission

Meetings:

The Grantsville City Planning Commission holds its regular monthly meeting on the second Thursday of each month at the Grantsville City Offices located at 429 E Main St, Grantsville, UT 84029. Planning Commission meetings begin at 7:00pm and meeting dates are posted online through the Utah Public Notice Website at the following web address: <https://www.utah.gov/pmn/sitemap/publicbody/1841.html>

1.1.1.1.9 Tooele City Planning Commission Members

Information not available

1.1.1.1.10 Grantsville City Council

Meetings:

The Grantsville City Council holds regular meetings on the first and third Wednesdays of each month at the Grantsville City Offices, 429 East Main Street, Grantsville, UT 84029. Meetings begin at 7:00pm.

City Council Members:

Jewel Allen

Email: jallen@grantsvilleut.gov

Neil Critchlow

Email: ncritchlow@grantsvilleut.gov

Jeff Hutchins

Email: jhutchins@grantsvilleut.gov

Krista Sparks

Email: ksparks@grantsvilleut.gov

Scott Stice

Email: sstice@grantsvilleut.gov

1.1.2 Tooele County General Plan Review

The Tooele County Code is guided by the Tooele County General Plan (General Plan). The General Plan sets out the community vision and assists decision makers as they evaluate future development and growth. The General Plan is not a binding, legal document. It is a guide for future land use which helps decision makers in development and revision of regulatory zoning ordinances. The plan is driven by five objectives as follows:

1. Strive for fiscal and environmental sustainability
2. Provide for economic development in Tooele County
3. Document accomplishments and incorporate new priorities
4. Meet the needs of changing demographics
5. Update and modernize the General Plan format

There are many areas of the General Plan which provide support for the implementation of a TVY AOZ. Because an AOZ protects both the Airport and landowners around the Airport by providing safe navigable routes for aircraft and noise nuisance protections, it is supporting objectives like “striving for environmental sustainability”. At the same time, an AOZ provides regulatory land use guidance which encourages development that is compatible with aircraft operations, ultimately encouraging economic development in proximity to an asset that is needed by industry and commerce. The development of compatible commercial, manufacturing, and light industrial land uses around the Airport will increase the tax base for Tooele County, while at the same time creating local jobs for the residents of Tooele County, thereby improving the County’s economic sustainability. The AOZ also addresses a third objective of “meeting the needs of changing demographics”. Tooele County is one of the fastest growing counties by percent of population change in the U.S. It is prudent that the County update the AOZ with a sense of urgency prior to the encroachment of land uses incompatible with the Airport or, conversely, result in the Airport not being a good neighbor. These are several ways in which introducing an AOZ meets the underlying objectives of the General Plan.

Furthermore, the General Plan recognizes the importance of the Tooele Valley Airport by encouraging additional land provisions to “meet future expansion and safety zones” and that by recognizing that the Airport has “a significant impact on the development plans for properties in the vicinity...”¹⁰ The General Plan uses four land use principles to guide future growth. These include the following:

1. Land Use Principle #1 - Create density and intensity near cities, services, and gathering places, including schools and centers.
2. Land Use Principle #2 - Use flexible and creative planning to achieve better neighborhood growth and development.
3. Land Use Principle #3 - Develop Tooele County into a self-sufficient region that includes adequate employment and service opportunities.
4. Land Use Principle #4 - Preserve public lands, historic sites, cultural landscapes, and scenic resources as part of a comprehensive planning approach.

The implementation of an AOZ both directly, and indirectly, promotes many of these principles. As a public facility, TVY can easily be considered an economic center for the community and by protecting land surrounding the Airport for proper land uses and densities, airport operational compatibility can be preserved within the community. Locating aviation compatible uses near the Airport also provides opportunities for non-aviation compatible businesses to locate in, or near, the city center, as preferred under the General Plan. Airports have historically been economic assets and drivers for economic growth in communities across the region. TVY is no exception. In fact, TVY is already contributing to the business community by supporting those corporations who do business in — and prefer to fly directly to — Tooele County, as well as by hosting skydiving operations which attracts tourism dollars. With a goal of growing employment, creating service opportunities, and becoming “self-sufficient” (presumably in a financial sense), preserving safe aircraft operating conditions and providing adequate facilities to support business aviation should be a top priority for the local communities. Additionally, the General Plan identifies preferred future land use patterns which “implement a wide range of industrial and business park developments as part of strengthening the local economy and job market.” Implementing an AOZ strongly supports business development goals and these uses often prefer proximity to airports. These types of land uses are often open to designing facilities in ways which are compatible with aircraft operations.

Road and transportation facilities are also identified as community assets worthy of preservation and maintenance.¹¹ The General Plan states that “future road, rail, transit, trail and other transportation facilities should be maintained and extended to meet the transportation needs of the community.” Presumably, the Airport is considered as an “other transportation facility” within this statement, although it is recommended that future planning efforts should consider expressly identifying the Airport as such an asset.

¹⁰ Tooele County General Plan Update 2016, Pgs. 2-8 and 2-9.

¹¹ Tooele County General Plan Update 2016, Pg. 2-30.

The General Plan has extensive narrative regarding preservation of Tooele Valley “sense of place”. This means maintaining the characteristics which make the area unique. In order to protect the Tooele Valley sense of place, the General Plan identifies multiple goals, recommended policies, and implementation measures to achieve that goal. The implementation of an AOZ for TVY supports many of these goals and policies. The most critical goals, policies, and implementation measures related to protecting the Airport and surrounding land uses are as follows:

- » **Goal:** To protect transportation corridors and minimize impacts on surrounding land uses.
 - ♦ **Policy:** Introduce minimum setbacks between new residential uses, railways, and road corridors.
 - ♦ **Policy:** Utilize transitional land uses, physical buffers such as walls, fences, and vegetation to separate residential land uses from industrial and similar incompatible uses.
- » **Goal:** To promote implementation of the land use concepts contained in the General Plan
 - ♦ **Policy:** Modify the existing County Code to ensure land use changes contained in the updated General Plan are codified.
 - **Implementation Measure:** Ensure that the Tooele Valley Municipal Airport Master Plan is reviewed when considering new development in the vicinity of the Airport.
 - **Implementation Measure:** Coordinate and cooperate with Tooele Valley Airport authorities to ensure adjacent landowners are apprised of future expansion/buffer needs and compensation is provided accordingly.

1.3 LAND USE REQUIREMENTS

The primary purpose of implementing an AOZ into a zoning ordinance is to promote and protect public health, safety, and welfare. With this goal in mind, criteria were developed to define the AOZ as described in the following sections.

1.3.1 Defining the Airport Influence Area

The extent of an AOZ can be best justified by first identifying the area in which aircraft operations are influenced by, or have an influence upon, the underlying land uses. This area is known as the Airport Influence Area (AIA). In the AIA, aircraft operating at TVY can be expected, on occasion, to be seen and/or heard by people on the ground. Three criteria have been used in this study to determine the AIA and therefore the AOZ outer boundary. These criteria include:

- » Safety of people and property in the air and on the ground
- » Regulatory requirements
- » Aircraft operational noise

Safety and Regulatory Requirements

Regulatory requirements related to aviation are predominantly driven by safety. To ensure safe airport operations, it is critical to protect airspace from obstructions and provide safe travel corridors for aircraft pilots and passengers. This is achieved at both the federal and local levels. At the local level, airspace is best protected by outright airport ownership of land below flight paths. Alternatively, protections for both Airport users and property owners can also be achieved through deeded aviation easements. Aviation

easements also help provide advanced notice to potential homebuyers within an area where aircraft operate.

By law, the United States Government “has exclusive sovereignty of airspace of the United States.”¹² The FAA is tasked with administering the National Airspace System (NAS) for civil aviation within the United States, with the primary purpose of ensuring safety. With this mission in mind, FAA provides regulatory oversight to protect navigable airspace from obstructions, as defined within 14 CFR Part 77. These protective surfaces are, in part, defined by the FAA approved design aircraft as defined within the TVY 2016 Airport Layout Plan update. This aircraft is the Cessna 750 Citation X. The Citation X jet is a category C-II aircraft, which is determined by its approach speed (Category C) and the wingspan/tail height (Group II) as defined within FAA AC 150/5300-13A, *Airport Design*. All 14 CFR Part 77 surfaces evaluated in this study are tailored to the C-II design aircraft at TVY. These protected surfaces are defined in **Appendix E**.

An established AOZ ordinance serves an important role for local governments by providing a mechanism for development review necessary to meet federal regulatory requirements. Title 14 Code of Federal Regulations (CFR) Part 77 – *Safe, Efficient Use, and Preservation of the Navigable Airspace*¹³ requires filing of notice to FAA of certain proposed construction or alteration of existing structures. This is done through the 7460-1 process which is available online through the Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) web portal¹⁴. Standard practice when implementing an AOZ into local codes is to include the 14 CFR Part 77 filing as part of the development review process. Codes typically refer petitioners and local zoning authorities to airport administrators who can file proper documentation with FAA on behalf of the landowner/developer.

FAA also regulates aircraft operating procedures for arrivals, departures, and missed approaches at TVY. These protected airspace surfaces are determined by FAA using Order 8260.3D, *United States Standard to Terminal Instrument Procedures* (TERPS). TVY has precision approaches serving Runway 17, a missed approach procedure for Runway 17 precision approaches, and departure procedures for both Runway 17 and Runway 35. Additionally, the 2016 FAA approved TVY Airport Layout Plan identifies a future non-precision approach for Runway 35. These protected TERPS surfaces have all been evaluated in development of the AIA and graphic depictions of the impacts around TVY are available in **Appendix E**.

FAA AC 150/5300-18B contains information regarding collection of airport survey data and GIS standards. These standards contain definitions for airport airspace survey surfaces related to runways with vertically guided approaches. These surfaces assist airport’s in identification of possible hazards to air navigation and critical approach/departure obstructions within the vicinity of an airport. These surfaces are intended to support planning and design activities of airports as well as ancillary tasks such as instrument flight procedure design. These airspace surfaces are shown in **Appendix E**.

¹² U.S. Code §40103 - *Sovereignty and Use of Airspace* can be accessed online here:

<https://www.law.cornell.edu/uscode/text/49/40103>

¹³ 14 CFR Part 77 is available through the eCFR online database here: <https://www.ecfr.gov/cgi-bin/text-id?SID=1542d861383ce5dbf5b1a2e86c986a1f&mc=true&node=pt14.2.77&rgn=div5>

¹⁴ OE/AAA portal can be accessed online here: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

Established traffic patterns around TVY used primarily by smaller piston aircraft during visual meteorological conditions are based upon FAA guidance found in 14 CFR Part 77. These areas are shown in **Appendix E**.

Wildlife boundary requirements per FAA AC 150/5200-33C, *Hazardous Wildlife Attractants On or Near Airports (January 18, 2019)* have been reviewed and mapped. These boundaries provide good supplemental information for Airport leadership and the authorities making zoning decisions around the Airport. However, for the purposes of defining the AIA and the zones within the AOZ, this boundary does not provide sufficient justification or measure of protection to support boundary definitions. Wildlife boundaries are shown in **Appendix E**.

Airports, because of their utility and access, are excellent drivers of local and regional economic growth. As such, protecting airport infrastructure and facilities from encroachment that reduces or eliminates their ability to function is vital to retaining the airport as a community economic asset. It is recommended that land immediately adjacent to the Airport has some form of land use control in place (fee simple airport ownership, avigation easement, or otherwise) to provide the buffer space necessary to sustain airport development and aviation compatible development near the airfield and other critical airport infrastructure. An AOZ provides one strong level of protection to ensure the airport can continue to operate safely. Zoning land surrounding the airport to be compatible with Airport operations as well as measures to accommodate future airport growth should be considered by Tooele County. Future county and municipal master planning efforts can provide opportunities to consider and update preferred future land uses in the vicinity of the Airport that are compatible with airport operations as well as solicit community feedback on potential updates to the future land use plan. Coordinating future TVY Airport Master Plan updates with future county and municipal plans also provides opportunities to plan in a more regionally comprehensive manner.

Noise

Noise created by aircraft operations at TVY can be perceived by people on the ground as a nuisance. The level of annoyance is subjective and typically dependent upon overall magnitude and frequency. Decades of research exists on the subject, including studies undertaken by the Environmental Protection Agency (EPA) and FAA.

At its most basic level, sound is measured in decibels (dB). Metrics for noise used by FAA include the Sound Exposure Level (SEL) and the day-night average sound level (DNL). FAA defines the SEL metric as “all the acoustic energy (a.k.a. sound pressure) of an individual noise event as if that event had occurred within a one-second time period” which “captures both the level (magnitude) and the duration of a sound event in a single numerical quantity.” Alternatively, the DNL reflects “cumulative exposure to sound over a 24-hour period, expressed as the noise level for the average day of the year on the basis of annual aircraft operations.”¹⁵

¹⁵ https://www.faa.gov/regulations_policies/policy_guidance/noise/basics, Retrieved on November 6, 2019.

As a government agency, the FAA has a vested interest in managing impacts of aircraft noise on the public and has concluded the following with regard to aircraft noise and noise monitoring¹⁶:

The FAA has determined that the cumulative noise energy exposure of individuals to noise resulting from aviation activities must be established in terms of the day-night average sound level (DNL) in decibels (dB). The 65 DNL is the Federal significance threshold for aircraft noise exposure and the FAA's primary metric for aviation noise analysis.

DNL has been widely accepted as the best available method to describe aircraft noise exposure and is the noise descriptor required by the FAA for use in aircraft noise exposure analyses and noise compatibility planning. The DNL has also been identified by the U.S. Environmental Protection Agency (USEPA) as the principal metric for airport noise analysis. Day-Night Average Sound Level (DNL) is a 24-hour equivalent sound level. DNL is expressed as an average noise level on the basis of annual aircraft operations for a calendar year. To calculate the DNL at a specific location, Sound Exposure Levels (SELs) (the total sound energy of a single sound event) for that particular location are determined for each aircraft operation (landing or takeoff). The SEL for each operation is then adjusted to reflect the duration of the operation and arrive at a "partial" DNL for the operation. The partial DNLs are then added logarithmically — with the appropriate penalty for those operations occurring during the nighttime hours — to determine total noise exposure levels for the average day of the year.

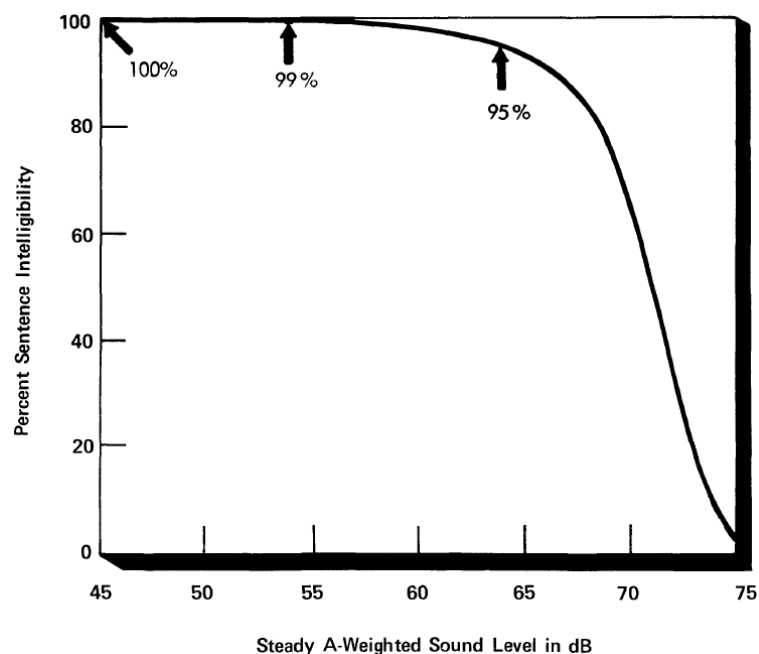
The 65 DNL contour, as defined in the most recent FAA Part 150 Noise Exposure Map update at TVY, does not extend beyond Airport property. However, this study recognizes that certain types of single, short duration noise events are often defined within local zoning ordinances as nuisances. For this reason, the study opted to review the estimated impacts of SEL events from the design aircraft (Cessna 750 Citation X) to determine how a single arriving aircraft might influence the area surrounding TVY.

The metric used to examine the potential for noise nuisance caused by aircraft operating near TVY was speech interference. Speech interferences is the point at which normal conversation becomes difficult as ambient noise increases, requiring the speaker to raise their voice or the listener to move closer in order to understand the speaker. The typical indoor conversation takes place at a three-foot distance at 60dB. **Figure 1-2** shows the percent sentence intelligibility for indoor speech at measured decibel levels as determined by the US EPA. This shows that as ambient noise levels reach 64dB the percent sentence intelligibility is reduced to 95 percent.

¹⁶ FAA, *Aircraft Noise and Noise Monitoring*,

Information retrieved December 16, 2019 from https://www.faa.gov/airports/airport_development/omp/faq/noise_monitoring

FIGURE 1-2
PERCENT SENTENCE INTELLIGIBILITY FOR INDOOR SPEECH



Source: US EPA, *Protective Noise Levels: A Condensed Version of EPA Levels Document*, 1974

14 CFR §21.183 establishes aircraft noise requirements for issuance of FAA airworthiness certificates. As part of this, new aircraft undergo noise certification testing. The results are recorded in the flight manual. Noise certification tests for the Cessna 750 Citation X¹⁷ aircraft concluded the following noise levels during phase of flight according to FAA defined testing standards¹⁸:

- » Takeoff: 72.3dB
- » Sideline: 83.0dB
- » Approach: 90.2dB

In a 2018 comparative study of outdoor and indoor noise levels under various window conditions, Swiss scientists determined that, under closed window conditions, outdoor noise levels drop an average of 26 to 31dB in an indoor setting¹⁹. Looking at the C-II design aircraft approach noise levels of 90dB and calculating a minimum average decrease of SEL event noise of 26dB, the average perceived noise levels in homes within the 90dB event range would experience 64dB noise levels inside their homes under closed window conditions. Per the conclusions of the study, the 65dB indoor noise level is a reasonable marker for the beginning threshold of noise levels causing conversational speech interference. For comparison purposes, the average gas power riding lawnmower produces approximately 90dB outside²⁰ (varies by

¹⁷ FAA AC36-1H, *Noise Levels for US Certificated and Foreign Aircraft*

¹⁸ FAA noise certification testing standards found in 14 CFR Part 36, *Noise Standards: Aircraft Type and Airworthiness Certification*

¹⁹ International Journal of Environmental Research and Public Health, *Differences between Outdoor and Indoor Sound Levels for Open, Tilted, and Closed Windows*, January 2018, 15(1): 149

²⁰ Information retrieved January 2020 from University of Florida's Hearing Conservation Program resource at <http://webfiles.ehs.ufl.edu/noiselvl.pdf>

make, model, and condition.) Applying the 2018 noise study logic, the indoor perceived noise level with closed windows would average 64-74dB. The key differences between the riding mower and a passing aircraft would be frequency and duration. The duration of the sound from the mower would be much greater since the aircraft would pass rather quickly when compared to the amount of time it would take to mow the typical lawn in Tooele County. Conversely, the lawn mower would most likely only run once per week while aircraft may pass overhead at greater frequency. A person's sensitivity to these types of sounds is strictly dependent upon the individual.

Using a sound level and distance damping calculation²¹ to estimate areas impacted by 75dB and 85dB SEL noise events, it was determined that 85 percent of the 75dB SEL event area is captured within the recommended AIA. The portions outside the AIA are located directly off the approach centerline of the runways, with 7.5 percent lying over the Great Salt Lake and the other 7.5 percent lying over industrial zoned areas and the Tooele Army Depot west of Tooele City.

1.3.2 Recommended Airport Influence Area Boundary

The preliminary AIA, shown in **Appendix F**, combines the 14 CFR Part 77 conical surface for category C-II aircraft and the approach/departure surfaces up to 500 feet above airport elevation to create a comprehensive boundary of land influenced by aircraft operations. The conical surface protects an area to meet federal safety and regulatory requirements as defined under 14 CFR Part 77. The arrival and departure procedures occur in federally regulated airspace specific to designated procedures at TVY, creating very distinct and unique boundaries at the point where these airspace surfaces meet 500 feet above airport elevation. The 500 feet above airport elevation mark was selected because 14 CFR Part 77 defines obstructions to air navigation as objects (including existing, future, and mobile objects) higher than 499 feet above ground level at the site of the object. In the recommended AIA, the approach and departure surface extents have been simplified into standard distances of 4 statute miles from runway end on extended runway centerline and 1 statute mile in each direction perpendicular to runway centerline. This simplification of the approach and departure areas of the AIA includes nearly entirely undeveloped areas of land (as of 2019) with the exception of the Tooele Army Depot and small industrial facilities northwest of Tooele City. Land within the departure surfaces north of TVY not included in the simplified boundary are undeveloped high-water mark areas for the Great Salt Lake which are unlikely to develop with any incompatible land uses as they are owned by the State of Utah. It's important to note that this definition may simplify administration of the AOZ but would require review and/or amendment at such a time that airfield facilities were expanded/altered, or flight procedures were implemented/altered by FAA.

The recommended AIA/AOZ boundary dimensions are 14,000 feet in any direction from the closes point of the Runway 17/35 centerline (14 CFR Part 77 Conical Surface) and a rectangular box measuring 4 statute miles out along the extended runway centerlines and 1 statute mile in each direction perpendicular to the runway centerline. The final recommended AIA and AOZ boundary is shown in **Appendix F**.

²¹ Sound level and distance damping calculator available at <http://www.sengpielaudio.com/calculator-distance.htm>

1.4 AIRPORT OVERLAY ZONE

The methodology used to determine the recommended Airport Influence Area was expanded upon from the methodology used in the *2001 Land Use Study* (see **Appendix A**). First, the recommended outer AOZ boundary has been updated to meet current conditions at TVY. Secondly, the interior AOZ limitations differ from the original *2001 Land Use Study* boundaries based on new information being available. The intent of the original 2001 study zone designators and land use protections remain valid and have been integrated into this updated AOZ, however, new information and considerations regarding airspace protection and land use have been used to expand upon and update the 2001 recommended AOZ.

1.4.1 Airport Overlay Zoning Code Review

Numerous reference materials were reviewed to provide a general understanding of common policies and practices currently being used to protect airports. Local codes reviewed include:

- » Salt Lake County Code – Chapter 19.70 – AOZ Airport Overlay Zone
- » Salt Lake City Code – 21A.34.040, AFPP Airport Flight Path Protection Overlay District
- » West Jordan City Code – 13-6A, Airport Overlay Zone

Common elements found within the analyzed Airport Overlay Zones include:

- » Purpose
- » Definitions
- » Reference to Airport Master Plans and Airport Layout Plans
- » Reference to 14 CFR Part 77 Imaginary Surfaces
- » Airport Influence Zone boundaries
- » Land use permissions and restrictions
- » Development building standards
- » Permitting
- » Nonconforming uses
- » Hazard marking and lighting
- » Conflicting regulations stipulation
- » Official Airport Overlay Zone map

Each AOZ reviewed uses 14 CFR Part 77 as the basis for defining land use limitations for the purposes of protecting navigable airspace. Each reviewed AOZ also recognizes certain land uses as incompatible with aircraft operations within areas around an airport. Finally, each AOZ includes noise attenuation requirements for construction within the zones most impacted by aviation noise. **Appendix G** is a proposed AOZ for Tooele County, incorporating relevant areas of the previously referenced codes, as well as tailored language specific to meet the unique circumstances of Tooele County and Tooele Valley Airport.

1.4.2 Recommended Airport Overlay Zone Guidelines

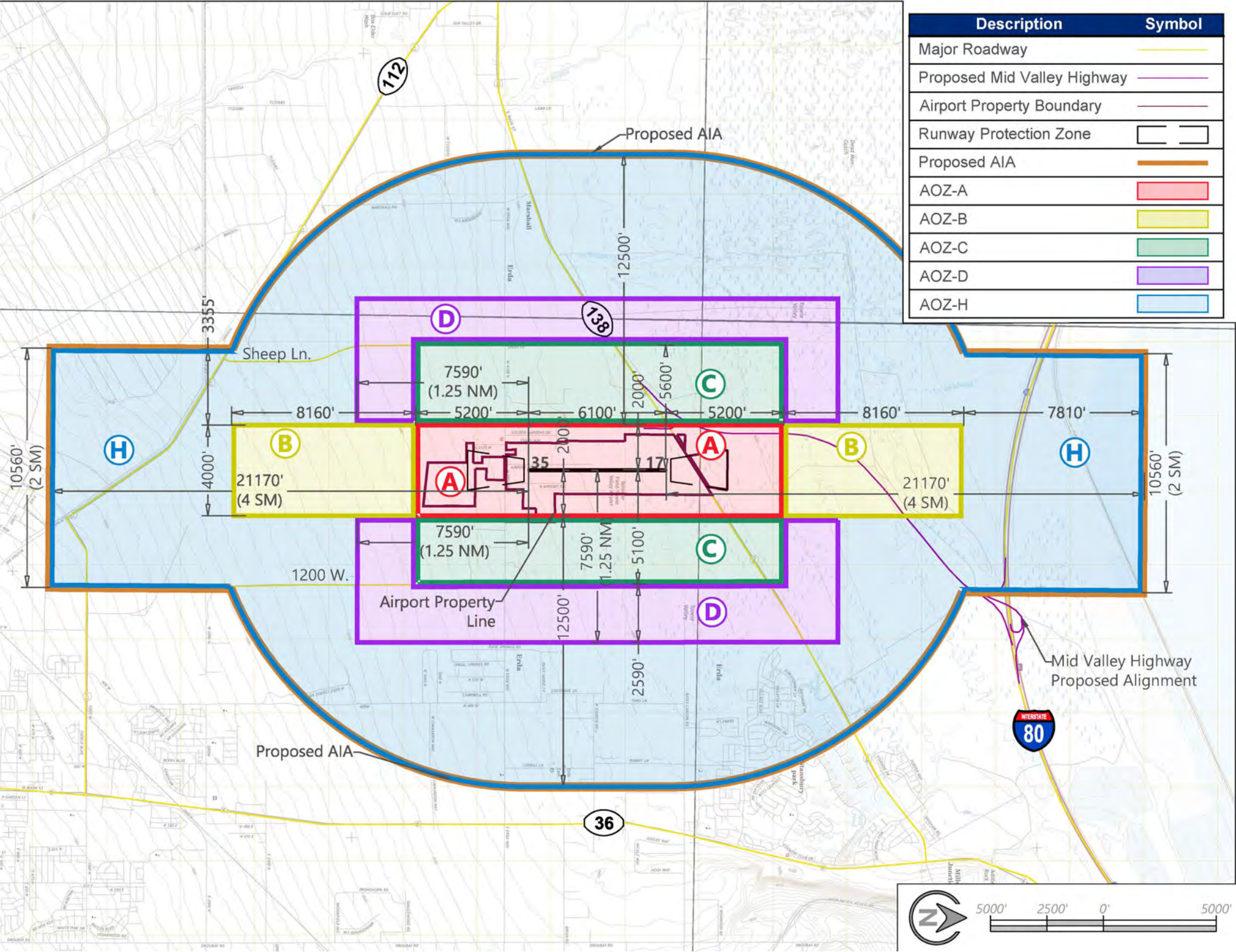
The interior AOZ boundaries include the following:

- » AOZ-A – Limited Development Zone
- » AOZ-B – Extended Approach Zone
- » AOZ-C – Traffic Pattern Zone
- » AOZ-D – Extended Traffic Pattern Zone
- » AOZ-H – Height Restriction Zone

The following sections describe the recommended zone purpose, boundary, associated land use restriction, and height restrictions. As elements of the overall AOZ, these zones would supplement any existing underlying zoning, including any additional requirements and/or restrictions. See **Figure 1-3** for the proposed Comprehensive AOZ Map and **Appendix F** contains a map of the AOZ with underlying zoning²². These zones are the culmination of technical analysis and a lengthy stakeholder involvement process. As recommended, these zones reflect the specific circumstances of the Tooele County area and community they serve with the intent of protecting the utility of TVY as a reliever to SLC and as a community asset.

²² Zoning current as of January 1, 2020.

FIGURE 1-3
COMPREHENSIVE TVY AOZ MAP



Source: RS&H Analysis, 2020

AOZ-A – Limited Development Zone

The Limited Development Zone (AOZ-A) is the most restrictive zone regarding land use and obstacle heights because it includes TVY facilities and the immediate area surrounding the Airport. It is especially important that this land be protected from obstacles intruding into navigable airspace because, in this zone, aircraft are lowest to the ground in the most vulnerable stages of flight (takeoff and landing). Likewise, people and facilities are closest to low flying aircraft and are therefore subject to more noise and the potential impacts suffered in the event of an aircraft crash. The AOZ-A attributes are based on 14 CFR Part 77 protected airspace, FAA Order 8260.3D TERPS flight procedures, FAA AC 150/5300-13A design standards, and TVY aircraft fleet noise impacts. The following sections describe the recommended boundary area, land use restrictions, and height restrictions for AOZ-A.

Boundary Description

The AOZ-A boundary is a rectangular shape defined by distances centered on Runway 17-35. AOZ-A is 4,000 feet wide (2,000 feet laterally on each side of the runway parallel to runway centerline) extending 5,200 feet beyond the end of Runway 17 departure end (to the south) and 5,200 feet beyond the Runway 35 departure end (to the north). The 4,000-foot width protects land within the immediate vicinity of the airport that is suited for aeronautical development because of its close proximity to the runway asset. Additionally, this lateral distance from the runway centerline encompasses an 85 SEL noise contour area as defined within the *2001 Land Use Study* (see **Appendix A**). The 5,200-foot extension from runway ends is derived from the need to protect the Runway Protection Zone (RPZ) areas and TERPS departure surfaces which rise away from the runway ends at a 40:1 slope (departures) and 34:1 slope (arrivals). The 5,200 feet incorporates the 100:1 airspace clearance height, as defined in 14 CFR Part 77, to protect for obstacles up to 500 feet high. The 5,200 feet is also twice the distance of the RPZ, from runway end, required to protect for the design aircraft category and existing/future instrument approach visibility minimums.

Land Use Requirements/Restrictions

- » Aviation easement required for all new development to establish object height limitations.
- » Aeronautical and aviation compatible/dependent land uses (i.e., industrial, commercial, technology industries) that rely on and/or make regular use of airport facilities (runway and taxiways) are strongly encouraged.
- » R-R-5 and R-R-10 residential uses are permitted. R-R-1 residential use requires conditional approval by the Tooele County Planning Commission and/or the Board of County Commissioners. All other residential uses are not permitted.
- » Land uses sensitive to noise (excepting permitted or conditionally approved residential) and areas of public assembly are not permitted. All allowable residential land uses require sound attenuation construction practices to reduce indoor dB exposure levels. Noise sensitive land uses include:
 - ♦ Residential
 - ♦ Mobile home parks
 - ♦ Transient lodgings
 - ♦ Residential facilities for elderly and disabled persons

- ♦ Educational institutions (excluding aviation education and those making use of airfield facilities such as university flight schools)
- ♦ Religious institutions (excluding those that are not used for large public assemblies and are integrated into aviation related facilities at fixed-base operators, such as small meditation areas or quiet areas)
- ♦ Hospitals (excludes small medical facilities directly related to aerial patient transport which make use of airfield facilities)
- ♦ Outdoor parks or sports arenas
- ♦ Outdoor music venues and amphitheaters
- ♦ Nature exhibits and zoos
- ♦ Amusement parks, resorts, and camps
- ♦ Golf courses, riding stables, and water recreation

Height Restrictions

- » 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis (Form 7460-1) process will be completed prior to construction or alteration of structures on the property including mobile infrastructure. Conclusions of the FAA OE/AAA Form 7460-1 process and/or aviation easement process that demonstrate any proposed site development will limit the ability of TVY facilities to operate to their full existing capacity or limit the ability of planned future facilities (as defined on the Airport Layout Plan) to operate at their full capacity are not permitted. Proposed development that is determined to limit Airport operations or capacity require amendment until impacts to TVY facilities are mitigated/eliminated. Examples of impacts to TVY facilities and operations that would require amendments to site plans include, but are not limited to, increased aircraft performance requirements, reduced usable runway length (landing or takeoff), and increases to flight procedure approach minimums.
- » Proposed development, as required within this Chapter, will only be permitted upon successful completion of the 14 CFR Part 77 OE/AAA process by filing Form 7460-1 with the FAA, conveyance of an aviation easement, and approval by Tooele County. Any site layout or design changes occurring after FAA OE/AAA approval which alter locations and/or increase structural heights requires resubmission of updated plans and Form 7460-1 to FAA under the 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis process and new approval from Tooele County.

AOZ-B – Extended Approach Zone

The Extended Approach Zone (AOZ-B) is designed to protect FAA TERPS airspace extending off the ends of Runway 17-35. The AOZ-B boundary also encompasses an 85 SEL noise contour area as defined within the *2001 Land Use Study* (see **Appendix A**).

Boundary Description

The AOZ-B boundary is 4,000 feet wide (2,000 feet laterally on each side of the runway perpendicular to runway centerline) and extends 8,160 feet in alignment with the Runway 17-35 centerline from the north and south extents of the AOZ-A boundary.

Land Use Requirements/Restrictions

- » Aviation easement required for all new development to establish object height limitations.
- » Aviation compatible/dependent land uses (i.e., industrial, commercial, technology industries, etc.) are encouraged but not required.
- » R-R-1, R-R-5, and R-R-10 residential uses are permitted. All other residential uses are not permitted.
- » Land uses sensitive to noise (excepting permitted residential) and areas of public assembly are not permitted. All allowable residential land uses require sound attenuation construction practices to reduce indoor dB exposure levels. Noise sensitive land uses include:
 - ♦ Residential
 - ♦ Mobile home parks
 - ♦ Transient lodgings
 - ♦ Residential facilities for elderly and disabled persons
 - ♦ Educational institutions
 - ♦ Religious institutions
 - ♦ Hospitals
 - ♦ Outdoor parks or sports arenas
 - ♦ Outdoor music venues and amphitheaters
 - ♦ Nature exhibits and zoos
 - ♦ Amusement parks, resorts, and camps
 - ♦ Golf courses, riding stables, and water recreation

Height Restrictions

- » 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis (Form 7460-1) process will be completed prior to construction or alteration of structures on the property including mobile infrastructure. Conclusions of the FAA OE/AAA Form 7460-1 process and/or aviation easement process that demonstrate any proposed site development will limit the ability of TVY facilities to operate to their full existing capacity or limit the ability of planned future facilities (as defined on the Airport Layout Plan) to operate at their full capacity are not permitted. Proposed development that is determined to limit Airport operations or capacity require amendment until impacts to TVY facilities are mitigated/eliminated. Examples of impacts to TVY facilities and operations that would require amendments to site plans include, but are not limited to, increased aircraft performance requirements, reduced usable runway length (landing or takeoff), and increases to flight procedure approach minimums.
- » Proposed development, as required within this Chapter, will only be permitted upon successful completion of the 14 CFR Part 77 OE/AAA process by filing Form 7460-1 with the FAA, conveyance of an aviation easement, and approval by Tooele County. Any site layout or design changes occurring after FAA OE/AAA approval which alter locations and/or increase structural heights requires resubmission of updated plans and Form 7460-1 to FAA under the 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis process and new approval from Tooele County.

AOZ-C – Traffic Pattern Zone

The Traffic Pattern Zone (AOZ-C) is designed to protect pilots and underlying landowners during aircraft operations in the VFR traffic pattern. Simultaneously, AOZ-C protects aircraft from the potential establishment of obstacles that impact navigable airspace.

Boundary Description

Traffic Pattern Zone (AOZ-C) is defined based on the expected performance of Category A flight training aircraft when performing procedures for flying a standard traffic pattern during touch and go training operations.

AOZ-C is split into two areas, one east of the Airport and one west of the Airport. The boundaries closest to the runway for both portions begin at the extent of AOZ-A. The north and south extents of AOZ-C extend 5,200 feet from the ends of Runway 17-35, and align with the north and south extents for AOZ-A. The north and south boundaries for each area of AOZ-C provide protection to the area flown during the typical crosswind leg and base leg of a standard traffic pattern. The westernmost boundary of the west side AOZ-C is defined by Sheep Lane or 5,600 feet west of and parallel to the runway centerline of Runway 17-35. The easternmost boundary of the east side AOZ-C is defined by 1200 W or 5,100 feet east of and parallel to the runway centerline of Runway 17-35. Using these roadways as boundaries provides clear delineation for ease of administration and simplifies impacts related to the underlying zoning.

Land Use Requirements/Restrictions

- » Avigation easement required for all new development to establish object height limitations.
- » R-R-1, R-R-5, and R-R-10 residential uses are permitted. All other residential uses are not permitted.
- » Land uses sensitive to noise (excepting permitted residential) and areas of public assembly are not permitted. All allowable residential land uses require sound attenuation construction practices to reduce indoor dB exposure levels. Noise sensitive land uses include:
 - ♦ Residential
 - ♦ Mobile home parks
 - ♦ Transient lodgings
 - ♦ Residential facilities for elderly and disabled persons
 - ♦ Educational institutions
 - ♦ Religious institutions
 - ♦ Hospitals

Height Restrictions

- » 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis (Form 7460-1) process will be completed prior to construction or alteration of structures on the property including mobile infrastructure. Conclusions of the FAA OE/AAA Form 7460-1 process and/or avigation easement process that demonstrate any proposed site development will limit the ability of TVY facilities to operate to their full existing capacity or limit the ability of planned future facilities (as defined on the Airport Layout Plan) to operate at their full capacity are not permitted. Proposed development that is determined to limit Airport operations or capacity require amendment until impacts to TVY

facilities are mitigated/eliminated. Examples of impacts to TVY facilities and operations that would require amendments to site plans include, but are not limited to, increased aircraft performance requirements, reduced usable runway length (landing or takeoff), and increases to flight procedure approach minimums.

- » Proposed development, as required within this Chapter, will only be permitted upon successful completion of the 14 CFR Part 77 OE/AAA process by filing Form 7460-1 with the FAA, conveyance of an aviation easement, and approval by Tooele County. Any site layout or design changes occurring after FAA OE/AAA approval which alter locations and/or increase structural heights requires resubmission of updated plans and Form 7460-1 to FAA under the 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis process and new approval from Tooele County.

AOZ-D – Extended Traffic Pattern Zone

The Extended Traffic Pattern Zone (AOZ-D), like AOZ-C, is designed to protect pilots and underlying landowners during aircraft operations in the VFR traffic pattern. AOZ-D also protects aircraft from the potential establishment of obstacles that impact navigable airspace. The difference between AOZ-C and AOZ-D is that residential land uses are not permitted in AOZ-C and only conditionally permitted in AOZ-D. Exterior boundaries (farthest from Runway 17-35) for AOZ-D align with CFR 14 Part 77 regulations on traffic pattern protection criteria for Category A aircraft.

Boundary Description

Extended Traffic Pattern Zone (AOZ-D) is defined based on CFR Part 77 flight pattern criteria for Category A aircraft. AOZ-D surrounds all sides of the AOZ-C area where AOZ-C does not border AOZ-A. The north and south extents of AOZ-D are 7,590 feet (1.25 NM) from each associated end of Runway 17-35. The easternmost boundary of the east side AOZ-D is 7,590 feet (1.25 NM) from Runway 17-35 centerline.

Land Use Requirements/Restrictions

- » Aviation easement required for all new development to establish object height limitations.
- » R-R-1, R-R-5, and R-R-10 residential uses are permitted. R-1-10 residential use requires conditional approval by the Tooele County Planning Commission and/or the Board of County Commissioners. All other residential uses are not permitted.
- » Land uses sensitive to noise (excepting permitted or conditionally approved residential) and areas of public assembly are not permitted. All allowable residential land uses require sound attenuation construction practices to reduce indoor dB exposure levels. Noise sensitive land uses include:
 - ♦ Residential
 - ♦ Mobile home parks
 - ♦ Transient lodgings
 - ♦ Residential facilities for elderly and disabled persons
 - ♦ Educational institutions
 - ♦ Religious institutions
 - ♦ Hospitals

Height Restrictions

- » 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis (Form 7460-1) process will be completed prior to construction or alteration of structures on the property including mobile infrastructure. Conclusions of the FAA OE/AAA Form 7460-1 process and/or aviation easement process that demonstrate any proposed site development will limit the ability of TVY facilities to operate to their full existing capacity or limit the ability of planned future facilities (as defined on the Airport Layout Plan) to operate at their full capacity are not permitted. Proposed development that is determined to limit Airport operations or capacity require amendment until impacts to TVY facilities are mitigated/eliminated. Examples of impacts to TVY facilities and operations that would require amendments to site plans include, but are not limited to, increased aircraft performance requirements, reduced usable runway length (landing or takeoff), and increases to flight procedure approach minimums.
- » Proposed development, as required within this Chapter, will only be permitted upon successful completion of the 14 CFR Part 77 OE/AAA process by filing Form 7460-1 with the FAA, conveyance of an aviation easement, and approval by Tooele County. Any site layout or design changes occurring after FAA OE/AAA approval which alter locations and/or increase structural heights requires resubmission of updated plans and Form 7460-1 to FAA under the 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis process and new approval from Tooele County.

AOZ-H – Height Restriction Zone

The Height Restriction Zone (AOZ-H) is the least restrictive zone within the AOZ. This zone provides a regulatory tool at the local level to ensure 14 CFR Part 77 regulatory requirements are followed and met by property owners when land is developed. AOZ-H also assists current and future landowners in recognizing the existence of an airport within the region and, therefore, the potential for aircraft overflights.

Boundary Description

The AOZ-H interior boundaries (for each runway end) are defined by a combination of the extents of AOZ-B and AOZ-C. The exterior boundaries of AOZ-H are located at a distance of 4 statute miles from the ends of Runway 17 and Runway 35 and measure 2 statute miles wide (1 statute mile laterally on each side of the runway perpendicular to runway centerline).

Land Use Requirements/Restrictions

- » No limitations beyond underlying zoning.

Height Restrictions

- » 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis (Form 7460-1) process will be completed prior to construction or alteration of structures on the property including mobile infrastructure. Conclusions of the FAA OE/AAA Form 7460-1 process and/or aviation easement process that demonstrate any proposed site development will limit the ability of TVY facilities to

operate to their full existing capacity or limit the ability of planned future facilities (as defined on the Airport Layout Plan) to operate at their full capacity are not permitted. Proposed development that is determined to limit Airport operations or capacity require amendment until impacts to TVY facilities are mitigated/eliminated. Examples of impacts to TVY facilities and operations that would require amendments to site plans include, but are not limited to, increased aircraft performance requirements, reduced usable runway length (landing or takeoff), and increases to flight procedure approach minimums.

- » Proposed development, as required within this Chapter, will only be permitted upon successful completion of the 14 CFR Part 77 OE/AAA process by filing Form 7460-1 with the FAA, conveyance of an avigation easement, and approval by Tooele County. Any site layout or design changes occurring after FAA OE/AAA approval which alter locations and/or increase structural heights requires resubmission of updated plans and Form 7460-1 to FAA under the 14 CFR Part 77 Obstruction Evaluation/Airport Airspace Analysis process and new approval from Tooele County.

Table 1-1 shows a high-level summary of where requirements and restrictions exist within the AOZ internal zones. It is recommended that an intergovernmental agreement be drafted between the TVY Airport sponsor and Tooele County for review of development plans for aviation impacts within the AOZ. This review will include avigation easement requirements and TERPS surface impacts such as the 40:1 departure surface and the 34:1 arrival surface.

TABLE 1-1
SUMMARY OF PROPOSED AOZ LAND USE REQUIREMENTS AND/OR RESTRICTIONS

AOZ	Definition	Requirements		Land Use Restrictions		
		Part 77	Avigation Easement	Residential	Other Sensitive Uses	All other land uses
A	Limited Development	FAA 7460 Process	Required for New Development	R-R-5, R-R-10 Permitted ⁴ / R-R-1 Conditional Use ⁴ / All Other Residential Not Permitted	Not Permitted ¹	Aviation Compatible Encouraged ³
B	Extended Approach	FAA 7460 Process	Required for New Development	R-R-1, R-R-5, R-R-10 Permitted ⁴ / All Other Residential Not Permitted	Conditional Use ⁴	Permitted ³
C	Traffic Pattern	FAA 7460 Process	Required for New Development	R-R-1, R-R-5, R-R-10 Permitted ⁴ / All Other Residential Not Permitted	Conditional Use ^{2,4}	Permitted ³
D	Extended Traffic Pattern	FAA 7460 Process	Required for New Development	R-R-1, R-R-5, R-R-10 Permitted ⁴ / R-1-10 Conditional Use ⁴ / All Other Residential Not Permitted	Permitted ^{2,4}	Permitted ³
H	Height Restriction	FAA 7460 Process	None Required	Permitted	Permitted	Permitted ³

Notes: 1) Educational facilities involving aviation education and those making use of airfield facilities are permitted. Medical facilities directly related to aviation that make use of airfield facilities are permitted. 2) Sound attenuation not required for outdoor recreation and public assembly facilities. 3) Permitted as defined within land use code. 4) Sound attenuation required for residential uses.





Source: RS&H Analysis, 2020

1.4.3 Recommended Land Use Guidelines Within AOZ

Table 1-2 shows a list of recommended zoning limitations to be incorporated into the Tooele County Land Use Code. Land uses shown in red are prohibited. Those shown in yellow undergo additional review and approval by the Planning Commission and/or the County Commissioners. Those shown in green are permitted by right. Those shown in gray are other overlay zones found in the code and do not apply. As a reference of which zones currently fall within the proposed Airport Overlay Zone District, **Appendix F** shows the AOZ with underlying zones (current as of January 1, 2020).

TABLE 1-2
RECOMMENDED OVERLAY ZONING GUIDELINES

Tooele County Zoning District	Code	Zone A AOZ-A	Zone B AOZ-B	Zone C AOZ-C	Zone D AOZ-D	Zone H AOZ-H
Multiple Use	M-U-40	Not Permitted	Permitted	Permitted	Permitted	Permitted
Multiple Use	M-U-80	Not Permitted	Permitted	Permitted	Permitted	Permitted
Multiple Use	M-U-160	Not Permitted	Permitted	Permitted	Permitted	Permitted
Agricultural	A-5	Permitted	Permitted	Permitted	Permitted	Permitted
Agricultural	A-10	Permitted	Permitted	Permitted	Permitted	Permitted
Agricultural	A-20	Permitted	Permitted	Permitted	Permitted	Permitted
Agricultural	A-40	Permitted	Permitted	Permitted	Permitted	Permitted
Rural Residential	R-R-1	Conditional Use	Permitted	Permitted	Permitted	Permitted
Rural Residential	R-R-5	Permitted	Permitted	Permitted	Permitted	Permitted
Rural Residential	R-R-10	Permitted	Permitted	Permitted	Permitted	Permitted
Residential	R-1-21	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Residential	R-1-12	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Residential	R-1-10	Not Permitted	Not Permitted	Not Permitted	Conditional Use	Permitted
Residential	R-1-8	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Multiple Residential	R-M-7	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Multiple Residential	R-M-15	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Multiple Residential	R-M-30	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
Neighborhood Commercial	C-N	Not Permitted	Permitted	Permitted	Permitted	Permitted
Commerical Shopping	C-S	Not Permitted	Permitted	Permitted	Permitted	Permitted
Highway Commercial	C-H	Not Permitted	Permitted	Permitted	Permitted	Permitted
General Development	C-G	Not Permitted	Permitted	Permitted	Permitted	Permitted
Manufacturing-Distribution	M-D	Permitted	Permitted	Permitted	Permitted	Permitted
Manufacturing General	M-G	Permitted	Permitted	Permitted	Permitted	Permitted
Travel Influence	T	Permitted	Permitted	Permitted	Permitted	Permitted
Hazardous Industrial	MG-H	Not Permitted	Conditional Use	Permitted	Permitted	Permitted
Railroad Travel Influence	R-T	Conditional Use	Conditional Use	Permitted	Permitted	Permitted
Highway Access	HA	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable
Recreation and Racing Sports	RRS	Not Permitted	Conditional Use	Permitted	Permitted	Permitted
Technology Industries	T-I	Conditional Use	Permitted	Permitted	Permitted	Permitted
Commercial Tourism	C-T	Conditional Use	Conditional Use	Permitted	Permitted	Permitted
Mining, Quarry, Sand, and Gravel Extraction	MG-EX	Not Permitted	Conditional Use	Permitted	Permitted	Permitted
Drinking Water Source Protection Overlay	DWSPO	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable
Construction Debris Overlay	CDO	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable
Municipal Solid Waste	MSW	Not Permitted	Not Permitted	Conditional Use	Conditional Use	Conditional Use
Pine Canyon Environmental Overlay Zone		Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable	Overlay - Not Applicable
Large Wind Energy Systems		Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted

Legend	Not Permitted		Permitted	
	Conditional Use		Overlay - Not Applicable	

Source: Tooele County Land Use Code; RS&H Analysis, 2020

APPENDIX A

2001 TVY LAND USE STUDY REDLINE

Airport Environs Land Use Planning

Introduction

The relationship between airports and surrounding land uses is a very sensitive issue in most communities today, and must be carefully monitored and regulated to avoid future airport/community conflicts. Therefore, local efforts to maximize the public benefit of airports, while preserving the substantial public investment in these facilities, must be balanced with obligations of public safety and policies to prevent, minimize and/or eliminate the negative impacts of air transportation. It should also be emphasized that local governmental entities have the responsibility of implementing compatible land use development in the vicinity of airports, and this obligation is set forth in the grant assurance agreements between the Federal Aviation Administration (FAA) and the local airport sponsor.

The land use planning recommendations set forth in this document are intended to present a clear and concise statement of policy and recommendations regarding the ownership and development of land within the airport environs to homeowners and buyers, home builders, developers and representatives of the various entities having land use control jurisdiction.

These recommendations were developed from technical information presented in the following documents:

- *Land Use Compatibility and Airports*, 1999/prepared by: FAA Airports Division Southern Region.
- *Airports And Compatible Land Use Volume 1*, 1999/prepared by: The Washington State Department of Transportation Aviation Division.

- *Airport Land Use Compatibility Guidelines*, 1994/prepared by: The Airport Technology and Planning Group, Inc. (AirTech) for the Oregon Department of Transportation Aeronautics Section.
- *Airport Land Use Planning Handbook*, 1993/prepared by: Hodges & Shutt for the California Department of Transportation Division of Aeronautics.
- *Compatible Land Use Planning Guide for Utah Airports*, 2000/prepared by: Wasatch Front Regional Council.

The following narrative will identify the primary issues associated with airport land use compatibility, present options that are available to the Salt Lake City Department of Airports for resolving and/or preventing future land use incompatibility issues, and make recommendations as to which options are most appropriate for implementation by the local governmental entities to achieve land use compatibility within the airport environs.

Land Use Compatibility Issues

The two primary issues associated with land use planning in the vicinity of airports are safety and noise. The issue of safety pertains to both the public on the ground and the public involved with the flight operation. The issue of noise is related to the operation of an aircraft and its impact upon the surrounding environs of the airport. Each of these issues will be examined in the following narrative.

Safety



Additional regulatory surfaces added to 2019 study to compliment this section.

The safety issue can be subdivided into two categories: 1) the safety of the public on the ground, and 2) the safety of the public in the air (i.e., the aircraft operator and any passengers). Because specific areas on and around airports are subject to varying degrees of accident potential, it is incumbent upon the airport sponsor (e.g., the Salt Lake City Corporation/Salt Lake City Department of Airports) to recommend to the appropriate authorities that the necessary land use controls be implemented to minimize public impact from potential aircraft accidents. To assist communities and adjacent counties in the appropriate designation of these land use control boundaries, the FAA has published three documents, Federal Aviation Regulations (FAR) Part 77,

Objects Affecting Navigable Airspace, Land Use Compatibility and Airports, 1999/prepared by: FAA Airports Division Southern Region, and Advisory Circular (AC) 150/5300-13, *Airport Design*. FAR Part 77 defines specific airspace areas around airports, referred to as "Imaginary Surfaces", which should remain clear of objects for the protection of aircraft operators. *Land Use Compatibility and Airports* was developed by a Compatible Land Use Planning Task Force headed by an FAA Regional Environmental Program Manager. The document provides assistance to local governments and airports in identifying and implementing appropriate compatible land use planning tools. In addition, AC 150/5300-13 provides specific requirements for airfield design, as well as recommendations for land use control, which should be implemented to protect both the public in the air and on the ground. The general structure of most airport-related land use regulations incorporate the guidelines set forth in these FAA documents.

Noise

The issue of aircraft noise and its impact on surrounding land uses must be carefully addressed at all airports to avoid future community conflicts. In general, the impact of aircraft noise within the airport environs is affected by the number of aircraft operations, the types of aircraft conducting the operations and the degree to which aircraft noise intrudes upon existing ambient noise levels. As presented in the 1994 Master Plan, the projected increase in operations at Tooele Valley Airport will not significantly increase the size of the noise contours through the planning period, due to existing and future runway length restrictions that limit the operational capabilities of the larger business jet fleet. However, surrounding land uses will be subject to increasing numbers of overflights, due to the airport's specified traffic pattern, and these operations will occur within areas where ambient noise levels are relatively low.

Land Use Compatibility Strategies

Each airport is different in its role within the national transportation system and these differences are most often defined by geographical location, size, airfield configuration, ownership/operation and surrounding land use patterns. Therefore, each airport has a unique set of issues that must be evaluated in the development of land use control guidelines. The exercise of both land use and development controls is vested within the authority of local city, county or state governments, and emphasizes the importance of developing a comprehensive land use control program.

Tooele Valley Airport is somewhat unique in this situation, given the airport's existing ownership and operation by the Salt Lake City Corporation. The Salt Lake City Corporation has no land use control powers in the vicinity of the airport, and is dependent upon local jurisdictions to implement land use development guidelines.

It is much easier and less costly to prevent the development of incompatible land uses within the vicinity of an airport, than it is to resolve these issues after they occur. Therefore, the benefits of utilizing the following preventative land use control measures (i.e., planning, ordinances, and acquisition) will be presented.

Planning

Community and/or regional planning efforts designed to promote compatible land uses in the vicinity of airports must be structured to achieve specified safety and noise-related guidelines through the preparation of a comprehensive plan. The Salt Lake City Department of Airports has taken this initial step by initiating a dialogue with Tooele County planning officials regarding the importance of land use compatibility within the airport environs, and electing to fund and coordinate the additional planning services necessary to minimize the potential impact of the airport on surrounding land uses. It is important to recognize that the airport's designated Airport Influence Area (AIA) is primarily located within the jurisdictional boundary of Erda Township; however, the AIA also spans across an unincorporated area of Tooele County and a portion of Tooele City. It is likely that a joint zoning board will have to be established between the various jurisdictions to coordinate future planning and zoning efforts, as well as promote compatible land use development within the airport environs.

Ordinances

The next step in the planning process for communities or counties wishing to protect the airport and its environs from the development of obstructions and/or incompatible land uses is the adoption of specific airport-related zoning ordinances. In general, zoning defines the uses permitted on a parcel of land within an established boundary, and is enforced through the use of police powers of the state and/or local governments. Therefore, zoning should be used carefully to accommodate the specific characteristics of the airport and the unique conditions affecting both the community and surrounding area.

As previously described, Tooele Valley Airport is owned and operated by the Salt Lake City Corporation, with the Salt Lake City Department of Airports having the overall management and operational responsibility for the airport. However, under Utah Statutes, only the County and/or an incorporated municipality have the authority to adopt and implement land use plans, zoning ordinances, and subdivision regulations. The Municipal Land Use Development and Management Act of 1991 (Utah Statutes, §10-9-101 to 1003) gives authority to municipalities for the development of comprehensive land use plans, implement zoning ordinances and maps, and adopted subdivision regulations. The County Land Use Development and Management Act of 1991 (Utah Statutes §17-27-101 to 1003) gives the same authority to county governments. In addition, the Aeronautics Act (Utah Statutes §72-10-101 to 504) delegates authority to any subdivision of the state to adopt and enforce airport height hazard zoning ordinances and maps to prevent the construction of hazards to air navigation. Based on this analysis, both incorporated cities and counties have the legal authority to adopt and implement land use controls to protect the airport environs and height hazard zoning within their respective jurisdictions.

Height Restrictions. As identified previously, the FAA has adopted FAR Part 77 to identify those objects around airports which are, or may become an obstruction and/or a hazard to air navigation. At many airports, current obstructions within the existing defined FAR Part 77 surfaces are identified on Airport Obstruction Charts published by the National Ocean Service. The FAA also requires that an "airspace form" (i.e., FAA Form 7460-1 *Notice of Proposed Construction or Alteration*) be completed by any person wanting to erect an object within 20,000-feet of the runway at Tooele Valley that would exceed a slope of 100:1 from the established airport elevation. The FAA has also published AC 150/5190-4A, *A Model Zoning Ordinance to Limit Height of Objects Around Airports*, for use by local jurisdictions to regulate and/or control the height of objects in the vicinity of airports. As a product of this planning effort, this document will be utilized to develop a model Height Hazard Zoning Ordinance for Tooele Valley Airport.

Examples of this process are provided in an Appendix to the 2019 study.

Acquisition

Acquisition strategies, when utilized for land use control and development are most effective (i.e., less costly and less controversial) if implemented under preventative conditions. However, acquisition can also be used to resolve existing non-standard design or development issues, which can result from upgrades in a runway's Airport Reference Code (ARC) or improvements in approach visibility minimums. The two

types of acquisition generally employed by airport sponsors include fee simple land purchases and easements.

Land Purchase. Fee simple land acquisition is an effective, but sometimes costly means of land use control. The FAA recommends that airport sponsors own in fee, that property, which is typically required for the operation and protection of the airport (i.e., airside and landside development), as well as the property within the boundary of the runway protection zones (RPZs). RPZ acquisition is typically eligible for FAA funding participation when the airport is included in the National Plan of Integrated Airport Systems (NPIAS), and this funding eligibility can also apply to properties which have existing noise sensitive uses as specified by FAR Part 150 guidelines.

Easements. Easement acquisition can be a useful and less costly method for land use control when compared to fee simple property acquisition. An aviation easement is the standard easement acquired within the airport environs. The purchase of these easements is most common within RPZs or along the extended approach surface, where existing development (either the airport or the adjacent community) has encroached upon the other, making property acquisition too costly. Aviation easements are typically structured to contain all or portions of the following rights: right of flight of aircraft; the right to cause noise, dust, etc.; the right to prohibit and/or remove all objects which penetrate the defined airspace and the right to access the property as needed to exercise the rights acquired. In addition, aviation easements acquired on undeveloped property within the RPZ (i.e., an RPZ easement) should include a restriction on the current and future use of the land surface to preclude incompatible development. It should also be noted that the acquisition costs of an RPZ easement could often approach the cost of acquiring the entire property in fee.

Airport Environs Land Use Plan

All future land use compatibility planning efforts initiated by the Salt Lake City Department of Airports and undertaken by Tooele County, within the airport environs, should address specific safety, height restriction and noise issues associated with the operation of the airport. Therefore, the authority set forth in existing Utah statutes will permit the existing Tooele County Zoning Ordinance to be amended with the preparation of an Airport Overlay Zoning District. In this instance, the specified

restrictions and requirements of the overlay district would be supplemental to those of the underlying district.

The first step in the land use planning process is to accurately define the appropriate boundaries of the proposed zoning district through the identification of the Airport Influence Area. A definition of the Airport Influence Area and a description of its various components are described in the following text.

Airport Influence Area



See 2019 study for updated AIA and AOZ determinations.

The Airport Influence Area (AIA) is defined as that property within the environs of the airport, where particular land uses are either influenced by, or will influence the operation of the airport, in a positive or negative manner. The AIA at Tooele Valley Airport delineates a specified area within the county where residents may hear or see aircraft operating at the airport, or where certain types of land uses may impact the safe operation of the facility.

The AIA boundary presented on the attached illustration entitled *EXISTING JURISDICTIONAL BOUNDARIES AND RECOMMENDED AIRPORT OVERLAY LAND USE DISTRICTS* was established based on a number of factors, which include: typical flight paths for aircraft operating at the airport, aircraft noise contours associated with the operation of these aircraft, and FAR Part 77 regulations defining the height of objects that may affect the navigable airspace. Therefore, it is recommended that the area comprised of the airport's Part 77 horizontal surface be designated as the AIA. The AIA will be identified by an oval boundary, centered on the runway, that is offset 10,000 feet from the runway centerline laterally, with a 10,000 foot arc radius from the primary surface at each runway end (200 feet beyond the end of each runway) connecting to the lateral lines. The AIA is further subdivided into four (4) individual zones, which specify various land use regulations and guidelines. These individual zones include the *Airport Overlay Zone A (AOZ-A) (limited development zone)*, the *Airport Overlay Zone B (AOZ-B) (extended approach zone)*, the *Airport Overlay Zone C (AOZ-C) (traffic pattern zone)*, and *Zone H (Height Restriction Zone)*.

Airport Overlay Zone A (AOZ-A) (Limited development zone). The AOZ-A boundary is defined by a rectangular area centered on the runway. The AOZ-A is 4,000 feet wide overall (extending 2,000 feet laterally from each side of the runway centerline) and extending 5,000 feet beyond the end of Runway 16 to the north and 3,400 feet beyond the end of Runway 34 to the south. The 5,000 foot extension to the north is twice the length of the RPZ for Runway 34; this dimension corresponds to the 100 foot airspace



Note: Runway now designated 17-35.

clearance based on Part 77 surface guidelines. This rationale also applies to the 3,400 foot extension for Runway 16. The 85 SEL noise contour for a typical multi-engine piston aircraft (i.e., the Beech Baron) operating at Tooele Valley is incorporated within the AOZ-A boundary.

Land use development restrictions within the zone should apply to noise sensitive uses (e.g., schools, churches, hospitals, etc.), including residential uses, uses that promote public assembly and uses that could create hazards to flight (e.g., distracting lights, glare, smoke, electronic interference, etc.). Land use development compatible with aviation activity is encouraged. Future land use development guidelines should require dedication of an aviation easement.

This area is identified as Zone A on the illustration entitled "EXISTING JURISDICTIONAL BOUNDARIES AND RECOMMENDED AIRPORT OVERLAY LAND USE DISTRICTS".

Airport Overlay Zone B (AOZ-B) (Extended approach zone). The AOZ-B boundary is also 4,000 feet wide (extending 2,000 feet laterally from each side of the runway centerline), and extends approximately 5,000 feet from the end of the AOZ-A boundary to the AIA boundary on Runway 16 to the north and approximately 6,600 feet from the end of the AOZ-A boundary to the AIA boundary on Runway 34 on the south. The lateral boundary of this zone also incorporates the 85 SEL noise contour for a typical multi-engine piston aircraft operating at Tooele Valley.

Land use development restrictions should apply to noise sensitive uses (e.g., schools, churches, hospitals, etc.); however, residential development, excluding mobile homes, would be permitted at densities of one dwelling unit per five acres. Future land use development guidelines should require dedication of an aviation easement.

This area is identified as Zone B on the illustration entitled "EXISTING JURISDICTIONAL BOUNDARIES AND RECOMMENDED AIRPORT OVERLAY LAND USE DISTRICTS".

Airport Overlay Zone C (AOZ-C) (Traffic pattern zone). The AOZ-C boundary is defined by a rectangular area extending outward from the AOZ-A and AOZ-B boundaries. The AOZ-C boundary consists of two sections 4,000 feet wide on the east and west sides of the AOZ-A and AOZ-B boundaries, and the length of the AOZ-C boundary extends to the north and south limits of Zone B.

Height restrictions also apply in AOZ zones A, B, or C as indicated in footnote in following table. This is an important element that is "hidden" in this report and should be more obvious in the new report.

Land use development restrictions should apply to noise sensitive uses (e.g., schools, churches, hospitals, etc.); however, residential development, excluding mobile homes, would be permitted at densities of one dwelling unit per one acre. Future land use development guidelines should require dedication of an aviation easement.

This area is identified as Zone C on the illustration entitled "EXISTING JURISDICTIONAL BOUNDARIES AND RECOMMENDED AIRPORT OVERLAY LAND USE DISTRICTS".

Height Restriction Zone (H). The Zone H boundary is the remaining property outside the AOZ-C boundary to the limits of the AIA (AIRPORT INFLUENCE AREA). This area requires height restrictions based on FAR Part 77 guidelines and dedication of an aviation easement. Land use This area is generally defined by typical traffic pattern airspace boundaries for approach Category B aircraft.

This area is identified as Zone H on the illustration entitled "EXISTING JURISDICTIONAL BOUNDARIES AND RECOMMENDED AIRPORT OVERLAY LAND USE DISTRICTS".

Conclusion










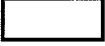
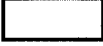
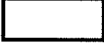














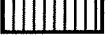

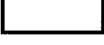




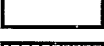



























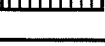
The land use planning recommendations set forth in this document are intended to provide the Salt Lake City Corporation/Salt Lake City Department of Airports with the necessary zoning recommendations and guidance to prevent or minimize future land use incompatibilities within the airport environs. These airport overlay zoning regulations should apply to those lands within the defined Airport Influence Area; however, their application would be limited to future development only or reconstruction of non-conforming uses.

In conjunction with existing zoning ordinances and classifications, Tooele County should develop specific compatibility criteria identifying those land uses which are *prohibited*, *not recommended*, and *normally accepted* within each zone. These land use guidelines should also specify any unique development conditions (e.g., aviation easement requirements, subdivision plat notification, building permit requirements, residential dwelling unit density requirements, etc.) required of future property owners concerning their proximity to existing and future airport development. The following table, entitled *RECOMMENDED OVERLAY ZONING GUIDELINES* identifies proposed development recommendations within the specified overlay zoning boundaries for each of the twenty-five (25) zoning districts.

It should be restated that the Salt Lake City Department of Airports efforts to promote compatible land use planning within the airport environs is an obligation set forth in all grant assurance agreements with the FAA. But more importantly, these regulations are designed to enhance the safety of those citizens that live and work within the Airport Influence Area and to minimize their impact to airport generated noise.

A-5 and A-10 districts have been added to the land use code and will need to be included in final recommendations.

Table 1
RECOMMENDED OVERLAY ZONING GUIDELINES
Tooele Valley Airport Layout Plan Update

Tooele County Zoning Districts	notes	Zone A/ AOZ-A ¹	Zone B/ AOZ-B ²	Zone C/ AOZ-C ²	Zone H/ H ²
Zone 1 Multiple Use District (M-U-40)					
Zone 2 Multiple Use District (M-U-80)					
Zone 3 Multiple Use District (M-U-160)					
Zone 4 Agricultural District (A-20)					
Zone 5 Agricultural District (A-40)					
Zone 6 Rural Residential District (R-R-1)					
Zone 7 Rural Residential District (R-R-5)					
Zone 8 Rural Residential District					
Zone 9 Residential District (R-1-21)					
Zone 10 Residential District (R-1-12)					
Zone 11 Residential District (R-1-10)					
Zone 12 Residential District (R-1-8)					
Zone 13 Multiple Residential District (R-M-7)					
Zone 14 Multiple Residential District (R-M-15)					
Zone 15 Multiple Residential District (R-M-30)					

Legend:

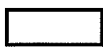
Prohibited



Not Recommended

























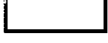
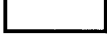
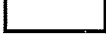
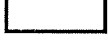














Normally Acceptable



(R-R-10) appears to be missing from original 2001 report but may have been added to Code later. Will include in 2019 study.

Table 1 (Continued)
RECOMMENDED OVERLAY ZONING GUIDELINES
Tooele Valley Airport Layout Plan Update

Tooele County Zoning Districts	notes	Zone A/ AOZ-A ¹	Zone B/ AOZ-B ²	Zone C/ AOZ-C ²	Zone H/ H ²
Zone 16 Neighborhood Comm. District (C-N)					
Zone 17 Commercial Shopping District (C-S)					
Zone 18 Highway Commercial District (C-H)					
Zone 19 General Commercial District (C-G)					
Zone 20 Manufact.-Distribution District (M-D)					
Zone 21 General Development District (M-G)					
Zone 22 Travel Influence District (T)					
Zone 23 Hazardous Industrial District (MG-H)					
Zone 24 R.R. Travel Influence District (R-T)					
Zone 25 Highway Access District (HA)					

Source: Tooele County Zoning Ordinance with overlay recommendations generated by Barnard Dunkelberg & Company, Inc.

1. Specified development guidelines will include dedication of an avigation easement, use of non-reflective roofing and siding material, mandatory disclosure of the overlay zoning boundaries to the purchaser of property, subdivision plat requirements, and adherence to height restriction development guidelines as specified by FAR Part 77 imaginary surfaces.
2. Specified development guidelines will include dedication of an avigation easement, use of non-reflective roofing and siding material, mandatory disclosure of the overlay zoning boundaries to the purchaser of property, subdivision plat requirements, and adherence to height restriction development guidelines as specified by FAR Part 77 imaginary surfaces.

Legend:

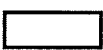
Prohibited



Not Recommended



Normally Acceptable



New zoning districts since 2001 study:

Recreation and Racing Sports (RRS)

Technology Industries (T-I)

Commercial Tourism (C-T)

Mining, Quarry, Sand, and Gravel Extraction (MG-EX)

Drinking Water Source Protection Overlay (DWSP)

Construction Debris Overlay (CDO)

Municipal Solid Waste (MSW) (Ord 2005-30 11/22/2005)

After recording, return to:
Salt Lake City Department of Airports
Planning and Environment
AMF Box 22084
Salt Lake City, Utah 84122

AVIGATION EASEMENT

Avigation Easement affecting county tax parcel number «ParcelNo».
(number)

«CompanyName»
(Exact names of all current owners)

hereinafter referred to as "Grantor" hereby grants and conveys to SALT LAKE CITY CORPORATION, hereinafter referred to as "Grantee," for good and valuable consideration given by the Grantee to the Grantor in the form of Grantee's approval of the development of Grantor's land by memorializing an existing prescriptive common law avigation easement associated with the Airport and aircraft activities in and around the Tooele Airport, the receipt and sufficiency of which is hereby acknowledged, a perpetual and assignable easement in the airspace above and over the parcel of land described in Exhibit "A," attached hereto and by this reference incorporated herein, hereinafter referred to as the "Real Property," for the free and unrestricted passage of aircraft of any and all kinds now or hereafter developed for the purpose of transporting persons or property through the air, in, through, across and about the airspace over the Real Property, and all other aeronautical activities therein. The airspace shall mean that space above the Real Property which is above the height limit established for the Real Property, which is that space above the flat plain «Elevation» feet mean sea level, as determined by U.S.G.S. datum coterminous with the boundaries of the Real Property (hereinafter referred to as the "Airspace").

Grantor further agrees that the easement and rights hereby granted to the grantee in the Airspace above and over the Real Property are for the purpose of insuring that the Airspace shall remain free and clear for the flight of aircraft landing at or taking off from or otherwise using the Tooele Airport described in Exhibit "B" attached hereto and by this reference incorporated herein, (hereinafter referred to as "Airport"). Said easement and the rights appertaining thereto shall be for the benefit of Grantee, its successors, assigns, guests, invitees, including any and all persons, firms or corporations operating aircraft to or from the Airport. In perpetuity, said easement and the burden thereof, together with all things which may be alleged to be incidental to or to result from the use and enjoyment of said easement, shall constitute permanent burdens and servient tenements on the Real Property and the same shall run with the land and be binding upon and enforceable against all successors in right, title or interest to said Real Property and shall be unlimited as to frequency.

Grantor agrees that it, its heirs, successors and assigns shall not hereafter erect or permit the erection or growth of any object within the Airspace. This easement grants the right of flight for the passage of aircraft in the Airspace, together with the right to cause or create, or permit or allow to be caused or created in the Airspace, and within, above and adjacent to the Real Property, such annoyances as may be inherent in, or may arise or occur from or during the operation of aircraft.

WITNESS the hand of Grantor this _____ day of _____, 20__.

GRANTOR(S)

ENTITY:

Company Name:

Signed by: _____

Print Name: _____

Title: _____

INDIVIDUAL:

Print Name: _____
Title (if any): _____

CORPORATION ACKNOWLEDGMENT

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On the ____ day of _____, 20__, personally appeared before me _____, who being by me duly sworn did say that he is the _____ of _____, a corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution (or bylaws) of its Board of Directors; and said persons acknowledged to me that said corporation executed the same.

NOTARY PUBLIC, residing in

My Commission Expires:

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On the ____ day of _____, 20____, personally appeared before me
_____, individually, who being by me duly sworn did say that he
executed the foregoing instrument.

NOTARY PUBLIC, residing in

My Commission Expires:

PARTNERSHIP ACKNOWLEDGMENT

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On the ____ day of _____, 20____, personally appeared before me _____, who being duly sworn, did say that (s)he is a partner of the firm of _____, a partnership existing under the laws of the State of Utah; and that said instrument was signed by him in behalf of said partnership and said _____ acknowledged to me that said partnership executed the same.

NOTARY PUBLIC, residing in

My Commission Expires:

LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On the ____ day of _____, 20____, personally appeared before me _____, who being duly sworn, did say that (s)he is a _____ of _____, a limited liability company existing under the laws of the State of Utah; and that said instrument was signed with proper authority by him/her on behalf of said limited liability company and said _____ acknowledged to me that said limited liability company executed the same.

NOTARY PUBLIC, residing in

My Commission Expires:

EXHIBIT "A"

The following description is the Grantor's Real Property situated in Tooele
County, commonly referred to as _____
Subdivision. (Name of subdivision, if applicable)

DESCRIPTION: (Tax Parcel #«ParcelNo»)

(Please attach to this Exhibit A the Tax Assessor's legal description (County printout) showing ownership, or other evidence of ownership as approved by City.)

OWNERSHIP CERTIFICATE

Without limitation, the undersigned hereby represent to Salt Lake City Corporation that they constitute all of the owners of the Real Property bearing Tooele County Tax Parcel Number «ParcelNo» as of the date set forth below, and they further represent and agree as follows:

They have full capacity to execute this Avigation Easement and make a binding conveyance thereof, and they know of no other acts in addition to the execution of this Avigation Easement necessary to make a valid and binding conveyance of the same.

They will not transfer any interest in the Real Property prior to the recording of this Avigation Easement by Salt Lake City Corporation without providing prior written notice to the City.

There is no other person or entity having any rights or interests with respect to the Real Property whose consent or conveyance may be necessary in order to make this Avigation Easement fully enforceable against the Real Property with respect to all parties.

After the recording of this Avigation Easement, they will obtain the consent or conveyance of any party with rights or interests created prior to that time which may be necessary in order to make this Avigation Easement fully enforceable against the Real Property with respect to all parties.

Date: _____

Record Owners of Tooele County Tax
Parcel Number «ParcelNo»

ENTITY:

Company Name:

Signed by: _____

Print Name: _____

Title: _____

INDIVIDUAL:

Print Name: _____

Title (if any): _____

APPENDIX B

FORM 7460-1 PROCESS LETTERS



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2019-ANM-2058-OE

Issued Date: 05/07/2019

Jeremiah Tello
City of West Jordan - Public Works
7960 s 4000 W
West Jordan, UT 84088

**** NOTICE OF PRESUMED HAZARD ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower SCADA 100 ft Monopole
Location:	West Jordan, UT
Latitude:	40-34-56.35N NAD 83
Longitude:	112-01-24.40W
Heights:	4875 feet site elevation (SE) 112 feet above ground level (AGL) 4987 feet above mean sea level (AMSL)

Initial findings of this study indicate that the structure as described exceeds obstruction standards and/or would have an adverse physical or electromagnetic interference effect upon navigable airspace or air navigation facilities. Pending resolution of the issues described below, the structure is presumed to be a hazard to air navigation.

If the structure were reduced in height so as not to exceed 67 feet above ground level (4942 feet above mean sea level), it would not create a substantial adverse effect and a favorable determination could subsequently be issued.

To pursue a favorable determination at the originally submitted height, further study would be necessary. Further study entails distribution to the public for comment, and may extend the study period up to 120 days. The outcome cannot be predicted prior to public circularization.

If you would like the FAA to conduct further study, you must make the request within 60 days from the date of issuance of this letter.

NOTE: PENDING RESOLUTION OF THE ISSUE(S) DESCRIBED ABOVE, THE STRUCTURE IS PRESUMED TO BE A HAZARD TO AIR NAVIGATION. THIS LETTER DOES NOT AUTHORIZE CONSTRUCTION OF THE STRUCTURE EVEN AT A REDUCED HEIGHT. ANY RESOLUTION OF THE ISSUE(S) DESCRIBED ABOVE MUST BE COMMUNICATED TO THE FAA SO THAT A FAVORABLE DETERMINATION CAN SUBSEQUENTLY BE ISSUED.

IF MORE THAN 60 DAYS FROM THE DATE OF THIS LETTER HAS ELAPSED WITHOUT ATTEMPTED RESOLUTION, IT WILL BE NECESSARY FOR YOU TO REACTIVATE THE STUDY BY FILING A NEW FAA FORM 7460-1, NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION.

If we can be of further assistance, please contact our office at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2019-ANM-2058-OE.

Signature Control No: 401344562-404999252

(NPH)

Paul Holmquist
Specialist



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2019-ANM-2058-OE

Issued Date: 05/08/2019

Jeremiah Tello
City of West Jordan - Public Works
7960 s 4000 W
West Jordan, UT 84088

**** PUBLIC NOTICE ****

The Federal Aviation Administration is conducting an aeronautical study concerning the following:

Structure:	Antenna Tower SCADA 100 ft Monopole
Location:	West Jordan, UT
Latitude:	40-34-56.35N NAD 83
Longitude:	112-01-24.40W
Heights:	4875 feet site elevation (SE) 112 feet above ground level (AGL) 4987 feet above mean sea level (AMSL)

The structure above exceeds obstruction standards. To determine its effect upon the safe and efficient use of navigable airspace by aircraft and on the operation of air navigation facilities, the FAA is conducting an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77.

**** SEE REVERSE SIDE FOR ADDITIONAL INFORMATION ****

In the study, consideration will be given to all facts relevant to the effect of the structure on existing and planned airspace use, air navigation facilities, airports, aircraft operations, procedures and minimum flight altitudes, and the air traffic control system.

Interested persons are invited to participate in the aeronautical study by submitting comments to the above FAA address or through the electronic notification system. To be eligible for consideration, comments must be relevant to the effect the structure would have on aviation, must provide sufficient detail to permit a clear understanding, must contain the aeronautical study number printed in the upper right hand corner of this notice, and must be received on or before 06/14/2019.

This notice may be reproduced and circulated by any interested person. Airport managers are encouraged to post this notice.

If we can be of further assistance, please contact our office at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2019-ANM-2058-OE.

Signature Control No: 401344562-405163512

(CIR)

Paul Holmquist
Specialist

Attachment(s)

Part 77

Additional Information

Map(s)

Additional Information for ASN 2019-ANM-2058-OE

Proposal: To construct and/or operate a(n) Antenna Tower to a height of 112 feet above ground level, 4987 feet above mean sea level.

Location: The structure will be located 2.63 nautical miles southwest of U42 Airport reference point.

Part 77 Obstruction Standard(s) Exceeded:

Section 77.17 (a) (5) a height that affects an Airport Surface by penetrating:

Section 77.19 (b) Conical Surface by 45 feet as applied to U_U42.

Aeronautical Study Number 2019-ANM-2058-OE

Abbreviations

AGL - above ground level

AMSL - above mean sea level

RWY - runway

VFR - visual flight rules

IFR - instrument flight rules

NM - nautical mile

ASN- Aeronautical Study Number

Part 77 - Title 14 Code of Federal Regulations (CFR) Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

1. LOCATION OF PROPOSED CONSTRUCTION

Proposed is a 112-foot AGL (4987-foot AMSL) antenna tower to be located at 9351 Hawley Park Road, West Jordan, UT and would be approximately 13,866 feet (2.28 NM) southwest of the airport reference point at South Valley Regional Airport (U42), West Valley City, UT. The U42 airport elevation is 4606 feet AMSL.

2. OBSTRUCTION STANDARDS EXCEEDED

The structure is identified as an obstruction under the following Part 77 standard:

b. Section 77.19(b) -- Conical Surface: a surface extending outward and upward from the periphery of the Part 77 Horizontal Surface at a slope of 20:1 for a horizontal distance of 4,000 feet . This structure would exceed the U42 Conical Surface by 45 feet.

3. EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR: Under investigation; seeking public input. The structure would exceed the U42 Part 77 Conical Surface by 45 feet.

There are no effects on the VFR traffic pattern.

There are no effects on any existing or proposed arrival, departure, or en route IFR/VFR minimum flight altitudes.

There are no physical or electromagnetic effects on the operation of air navigation and communications facilities.

There are no effects on any airspace and routes used by the military.

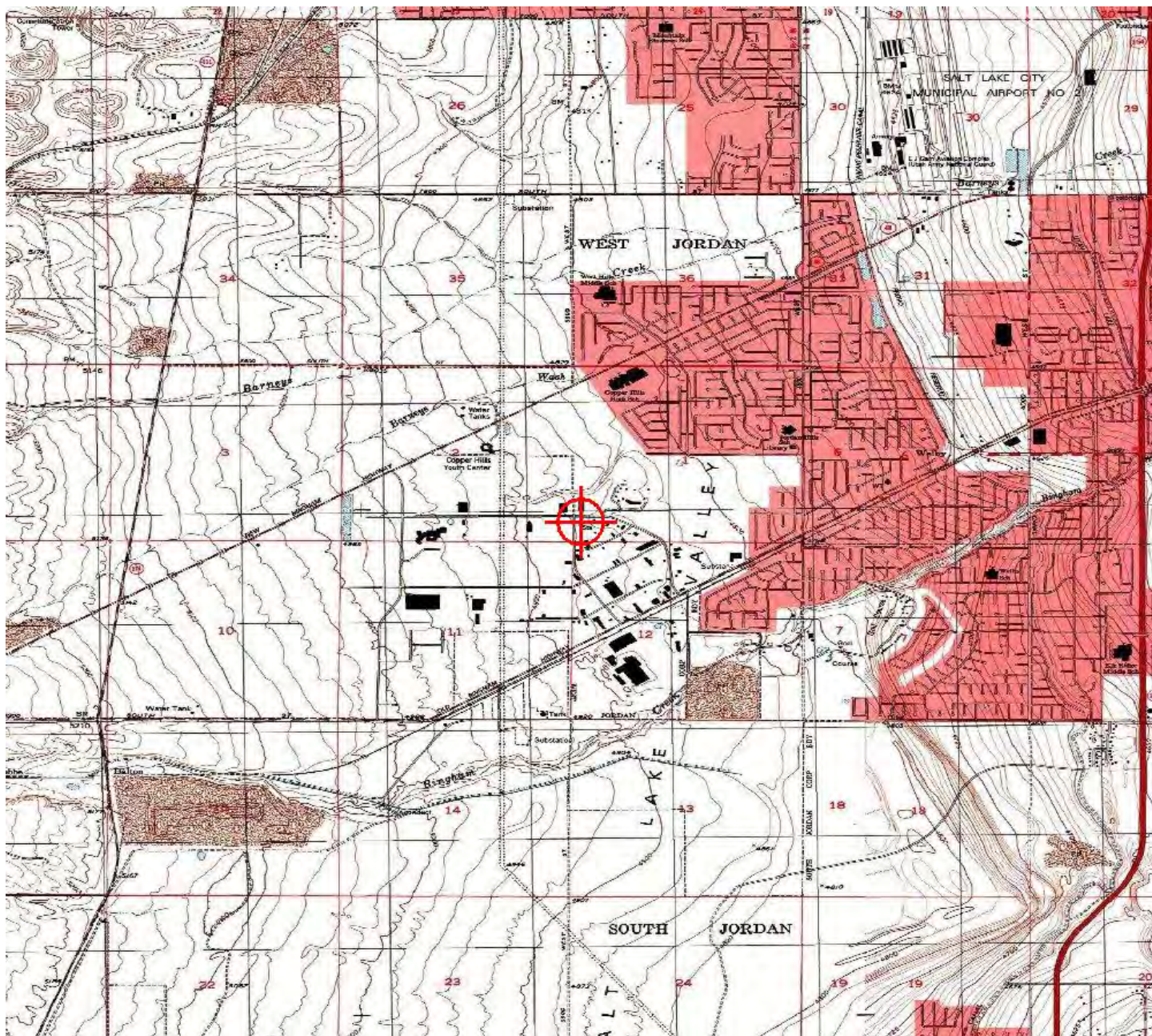
b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR: None.

c. The impact on all planned public-use airports and aeronautical facilities: Under investigation; seeking public input.

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures: Under investigation; seeking public input.

The U42 Airport Master Record can be viewed/downloaded <http://www.gcr1.com/5010web/airport.cfm?Site=U42>. It states there are 223 single-engine, 12 multi-engine, 1 jet, 0 glider, 0 military, 0 ultralight and 6 helicopter aircraft and 30 military aircraft based there with 75,934 operations for the 12 months ending 31 December 2013 (latest information).

Map for ASN 2019-ANM-2058-OE







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2019-ANM-2058-OE

Issued Date: 06/18/2019

Jeremiah Tello
City of West Jordan - Public Works
7960 s 4000 W
West Jordan, UT 84088

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ** (CORRECTION)**

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower SCADA 100 ft Monopole
Location:	West Jordan, UT
Latitude:	40-34-56.35N NAD 83
Longitude:	112-01-24.40W
Heights:	4875 feet site elevation (SE) 112 feet above ground level (AGL) 4987 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

____ At least 10 days prior to start of construction (7460-2, Part 1)
 X Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/18/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 18, 2019. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager of the Airspace Policy Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on July 28, 2019 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Policy Group via telephone – 202-267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact Paul Holmquist, at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2019-ANM-2058-OE.

Signature Control No: 401344562-408813500

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Frequency Data

Map(s)

cc: FCC

Aeronautical Study Number 2019-ANM-2058-OE

Abbreviations

AGL - above ground level

AMSL - above mean sea level

RWY - runway

VFR - visual flight rules

IFR - instrument flight rules

NM - nautical mile

ASN- Aeronautical Study Number

Part 77 - Title 14 Code of Federal Regulations (CFR) Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

1. LOCATION OF PROPOSED CONSTRUCTION

Proposed is a 112-foot AGL (4987-foot AMSL) antenna tower to be located at 9351 Hawley Park Road, West Jordan, UT and would be approximately 13,866 feet (2.28 NM) southwest of the airport reference point at South Valley Regional Airport (U42), West Valley City, UT. The U42 airport elevation is 4606 feet AMSL.

2. OBSTRUCTION STANDARDS EXCEEDED

The structure is identified as an obstruction under the following Part 77 standard:

b. Section 77.19(b) -- Conical Surface: a surface extending outward and upward from the periphery of the Part 77 Horizontal Surface at a slope of 20:1 for a horizontal distance of 4,000 feet . This structure would exceed the U42 Conical Surface by 45 feet.

3. EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR: No substantial adverse effect. The structure would exceed the U42 Part 77 Conical Surface by 45 feet.

There are no effects on the VFR traffic pattern.

There are no effects on any existing or proposed arrival, departure, or en route IFR/VFR minimum flight altitudes.

There are no physical or electromagnetic effects on the operation of air navigation and communications facilities.

There are no effects on any airspace and routes used by the military.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR: None.

c. The impact on all planned public-use airports and aeronautical facilities: None.

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures: None.

The U42 Airport Master Record can be viewed/downloaded <http://www.gcr1.com/5010web/airport.cfm?Site=U42>. It states there are 223 single-engine, 12 multi-engine, 1 jet, 0 glider, 0 military, 0 ultralight and 6 helicopter aircraft and 30 military aircraft based there with 75,934 operations for the 12 months ending 31 December 2013 (latest information).

4. CIRCULATION AND COMMENTS RECEIVED

The proposal was circulated for public comment based on 8 May 2019 and public comment period closed on 14 June 2019. No comments were received by 14 June 2019.

5. DETERMINATION - NO HAZARD TO AIR NAVIGATION

The FAA has determined the proposed construction would not have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth in this determination are met.

6. BASIS FOR DECISION

Study for possible effect disclosed that the proposed structure would not have a substantial adverse effect on any existing or proposed arrival or departure VFR or IFR operation or procedure. The proposed structure would exceed the U42 Conical Surface by 45 feet. No other VFR or IFR issues could be identified and no issues were raised during the public comment period. The incorporation of obstruction lighting will mitigate the Part 77 surface penetration.

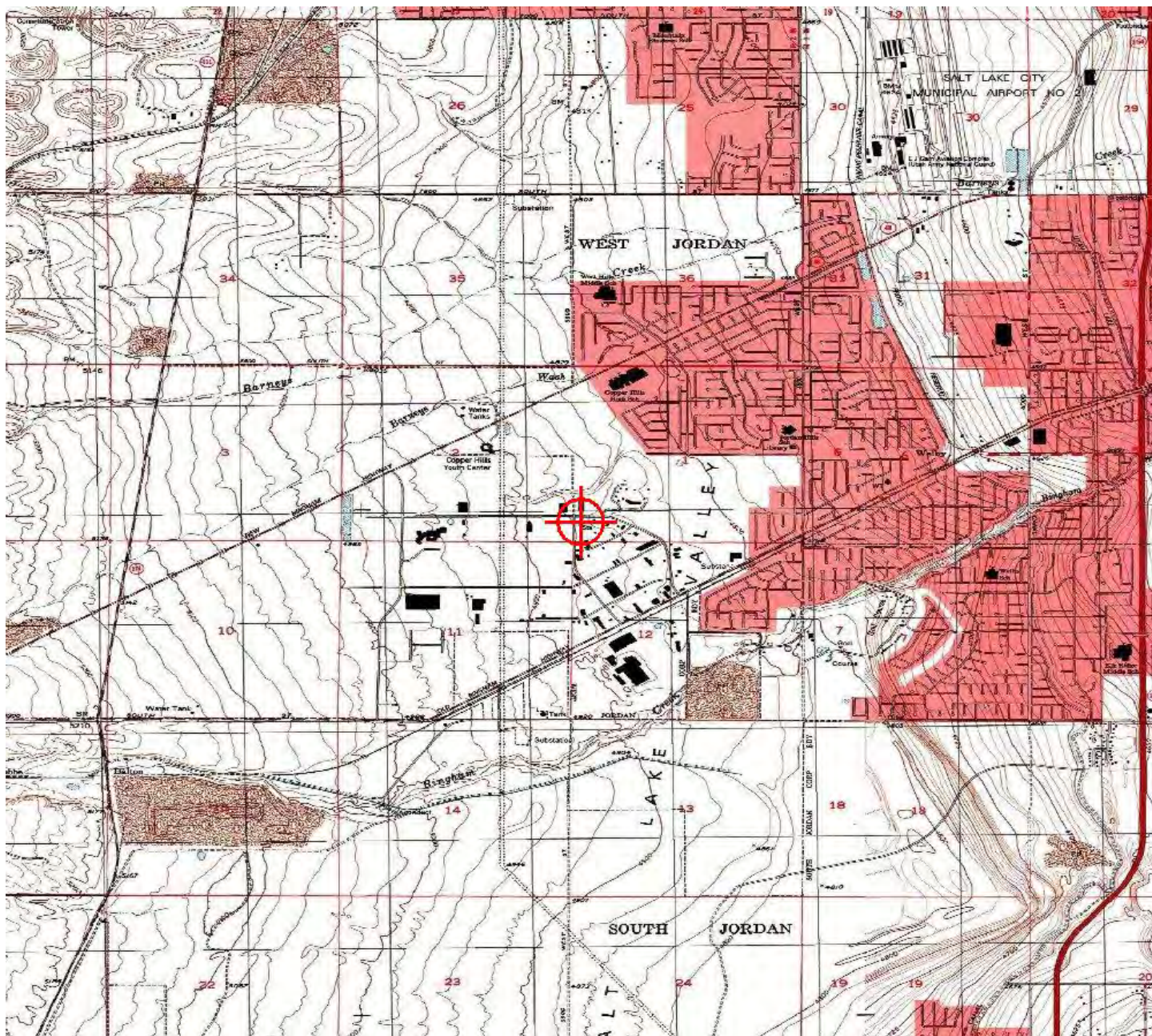
7. CONDITIONS

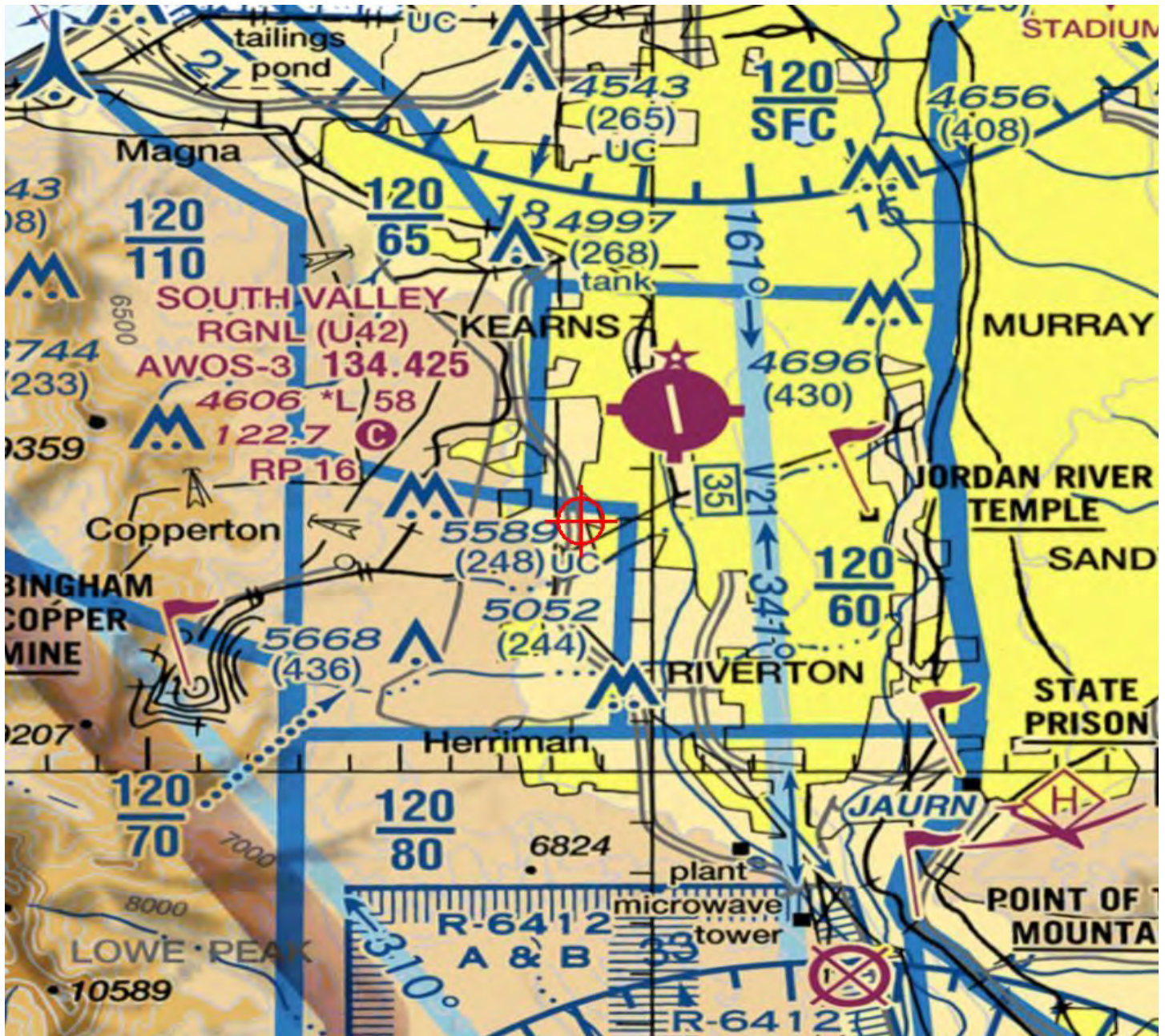
The structure shall be marked and lighted as outlined in chapters 4, 5 (Red), and 12, of Advisory Circular AC 70/7460-1L. The advisory circular is available online at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L_-_Obstruction_Marking_and_Lighting_-_Change_2.pdf

Within five days after the structure reaches its greatest height, proponent is required to file a FAA form 7460-2, Actual Construction notification, at the OE/AAA website (<http://oeaaa.faa.gov>). This Actual Construction notification will be the source document detailing the site location, site elevation, structure height, and date structure was built for the FAA to map the structure on aeronautical charts and update the national obstruction database.

Frequency Data for ASN 2019-ANM-2058-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
902	928	MHz	1	W





APPENDIX C

*TOOELE COUNTY LAND USE
ORDINANCE AMENDMENT APPLICATION*



Application to Amend the Land Use Ordinance of Tooele County

Amendments to the zoning map shall be completed in full, signed, and supplemented with any additional information required by the planning commission. An application which is incomplete or provides insufficient data is just cause for denial. Submittals must be filed with the Department of Engineering for staff and public review.

LUO # _____

Fee \$ 500.00

Petitioner(s) Information

Name(s): _____

Address per tax rolls: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

Agent for the Petitioner(s) Information

Name(s): _____

Address per tax rolls: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

APPLICATION IS HEREBY MADE TO THE PLANNING COMMISSION REQUESTING THAT:

(Must list in detail specific section and language to be amended)

****ADDITIONAL INFORMATION OR SUBMITTALS MAY BE REQUIRED****

Date Submitted: _____

Signature of petitioner(s) or agent(s):

LUO #: _____ Fee \$ 500.00 Receipt #: _____

APPENDIX D

*TOOELE COUNTY ZONING MAP
AMENDMENT APPLICATION*



Application to Amend the Zoning Map of Tooele County

Amendments to the zoning map shall be completed in full, signed, and supplemented with any additional information required by the planning commission. An application which is incomplete or provides insufficient data is just cause for denial. Submittals must be filed with the Department of Engineering for staff and public review.

Fee \$500.00

Property information and location

(All lines applicable to this site must be filled in)

Section _____ Township _____ Range _____

Parcel # _____ Lot # _____

Subdivision Name: _____ (if applicable)

***You MUST include a parcel map obtained from the Tooele County Recorder's Office
with this application!***

Property Owner(s) Information

Name(s): _____

Address per tax rolls: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

A copy of the deed, offer or tax notice MUST be included to demonstrate ownership

(For Office Use Only)

REZ #: _____ Fee \$ 500.00 Receipt #: _____

Agent for the Property Owner(s) Information

Name(s): _____

Address per tax rolls: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

A copy of the deed, offer or tax notice MUST be included to demonstrate ownership

APPLICATION IS HEREBY MADE TO THE PLANNING COMMISSION REQUESTING:

Current zoning designation: _____

An application to amend the zoning map shall address:

- (a) general existing site characteristics including ownership, topography, soils, drainage, vegetation and other physical characteristics of the area proposed to be changed;
- (b) a legal description of the area to be zoned;
- (c) types of land uses permitted, conditional or prohibited in the current zoning district and the proposed zoning district;

- (d) existing transportation patterns to include public and private roads and internal and external circulation patterns, rights-of-way, easements and parking;
- (e) existing and proposed land uses, open spaces, impervious surfaces including streets, parking areas, structures and buildings with a general description of size area, intensities/densities, and height, and proposed storm-water drainage facilities;
- (f) existing and proposed utilities and infrastructure;
- (g) relationship of proposed zone change with Tooele County General Plan and how specifically the proposed zone change would conflict, conform, complement or otherwise affect the Tooele County General Plan as well as any special studies that are designed to further detail the Tooele County General Plan in a specific area;
- (h) an area map showing adjacent property owners and existing land uses within 500 feet of the area proposed to be rezoned;
- (i) the location, description and acreage of land uses;
- (j) approximate location and number of residential units along with approximate square footage, density and height;
- (k) approximate location and square footage of non-residential buildings;
- (l) calculation of approximate amount of open space both before and after buildout construction, indicating areas of expected open space and new landscaping, and including maintenance plans for these areas;
- (m) if the site has unusual or unique natural features, a demonstration of how proposed development preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural draining patterns, and if appropriate, geotechnical studies submitted to indicate soil types, depth of bedrock and slope stability;
- (n) a description of the availability of culinary and irrigation water, community facilities such as schools, fire protection services and other types of facilities that would serve the re-zoned area and how these facilities are affected by this proposal;
- (o) approximate location and size of storm water detention and retention areas and calculations on the impact to those systems as a result of the change in density and use of land;
- (p) an indication of the construction schedule of any project proposed;
- (q) for multi-phased projects, a phasing plan that describes the anticipated timing and geographical extent of each phase;
- (r) a detailed traffic study showing the vehicle trips per day on average at buildout and a determination how the project would significantly alter existing traffic patterns or volume;

- `(s) for applications involving a PUD, a table of proposed dimensional standards for the proposed land uses or phases including lot sizes and frontages, building heights and intensities, and setbacks and a description of any requested exceptions to the requirements of the underlying zone; and
- (t) any other study or information required by the planning commission or zoning administrator.

Date Submitted: _____

Signature of owner(s) or agent(s):

APPENDIX E

AIRPORT INFLUENCE AREA CRITERIA

14 CFR Part 77 Imaginary Surfaces

Description	Symbol
Metro Township	<div></div>
County Boundary	<div></div>
Major Roadway	<div></div>
Primary Surface	<div></div>
Approach Surface	<div></div>
Transitional Surface	<div></div>
Horizontal Surface	N/A
Conical Surface	<div></div>

Definitions

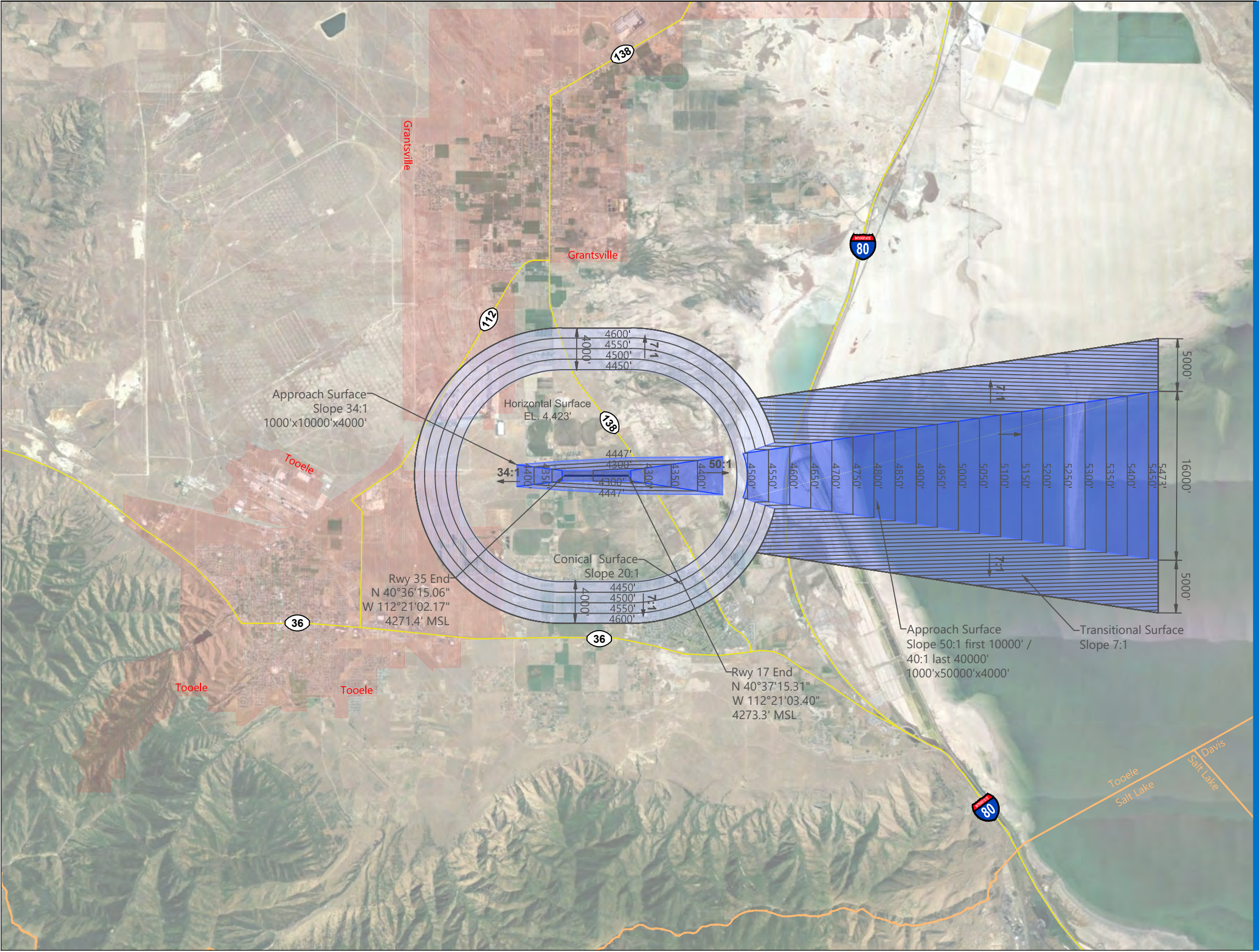
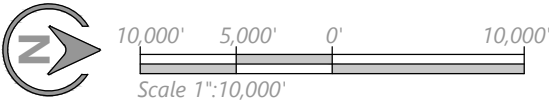
MSL - Height above Mean Sea Level

Object - any element of natural growth, terrain, or man-made structure whose height is greater than 3 inches.

Obstruction to Air Navigation - any object that, upon evaluation is determined by the FAA to be required to be properly marked, lighted and identified on aeronautical publications so that it may be easily recognized by aircraft navigating through the airspace.

Obstruction Criteria

- An object penetrating an imaginary surface.
- A height of 499 feet above ground level at the site of the object.
- A height that is 200 feet above ground level, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point.

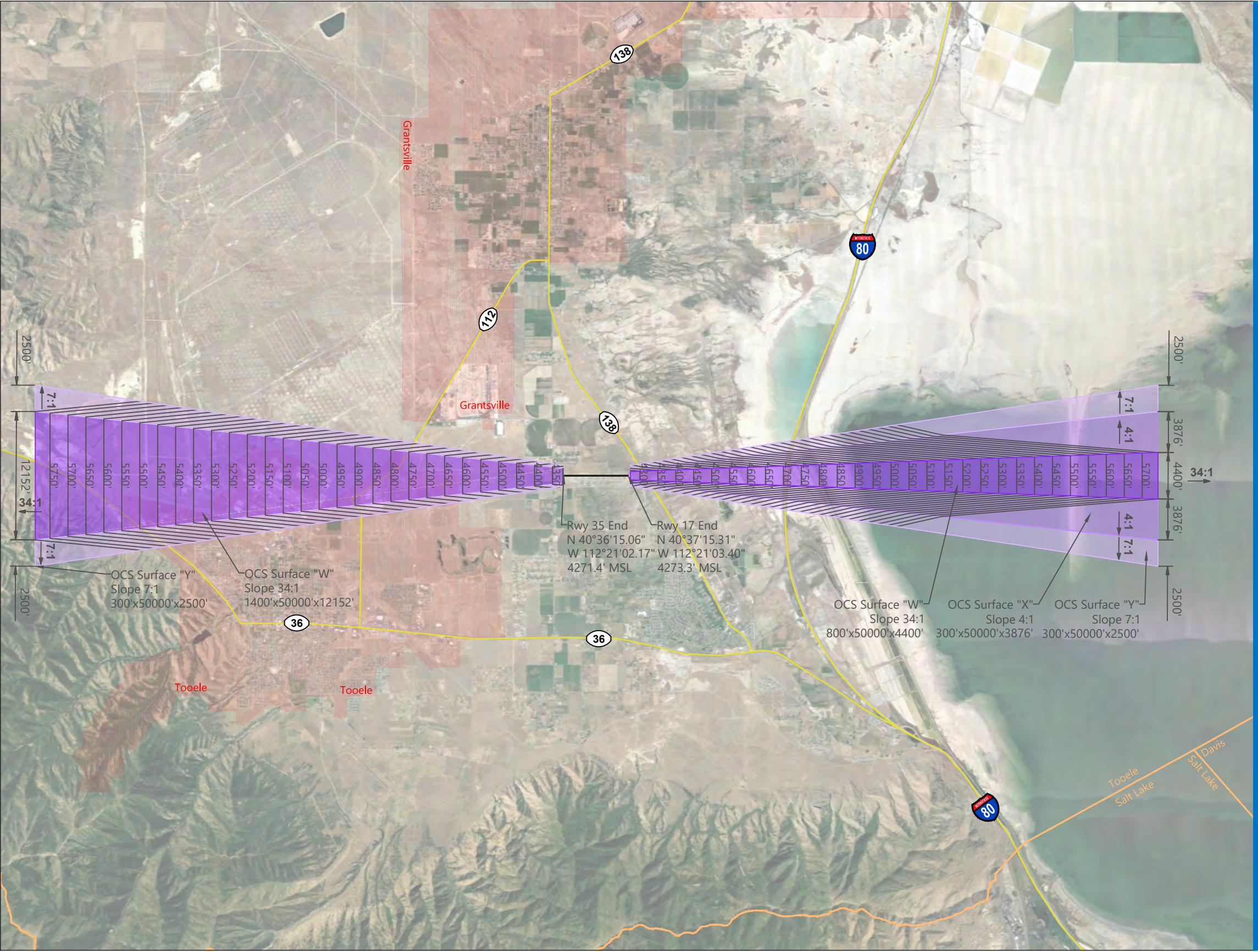


TERPS Approach Surfaces

Description	Symbol
Metro Township	<div></div>
County Boundary	<div></div>
Major Roadway	<div></div>
OCS Surface "W"	<div></div>
OCS Surface "X"	<div></div>
OCS Surface "Y"	<div></div>

Definitions
OCS - Obstacle Clearance Surface Object - any element of natural growth, terrain, or man-made structure whose height is greater than 3 inches. TERPS - Terminal Instrument Procedures. Approach surface criteria only applies to those runway ends with approved/future instrument procedures.

Obstacle Criteria
An obstacle is defined as any object that does or would penetrate an OCS, or other specific flight procedures. Obstacles can impact climb gradient and minimal decent angles for aircraft operators.

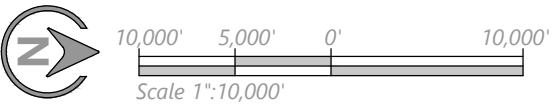
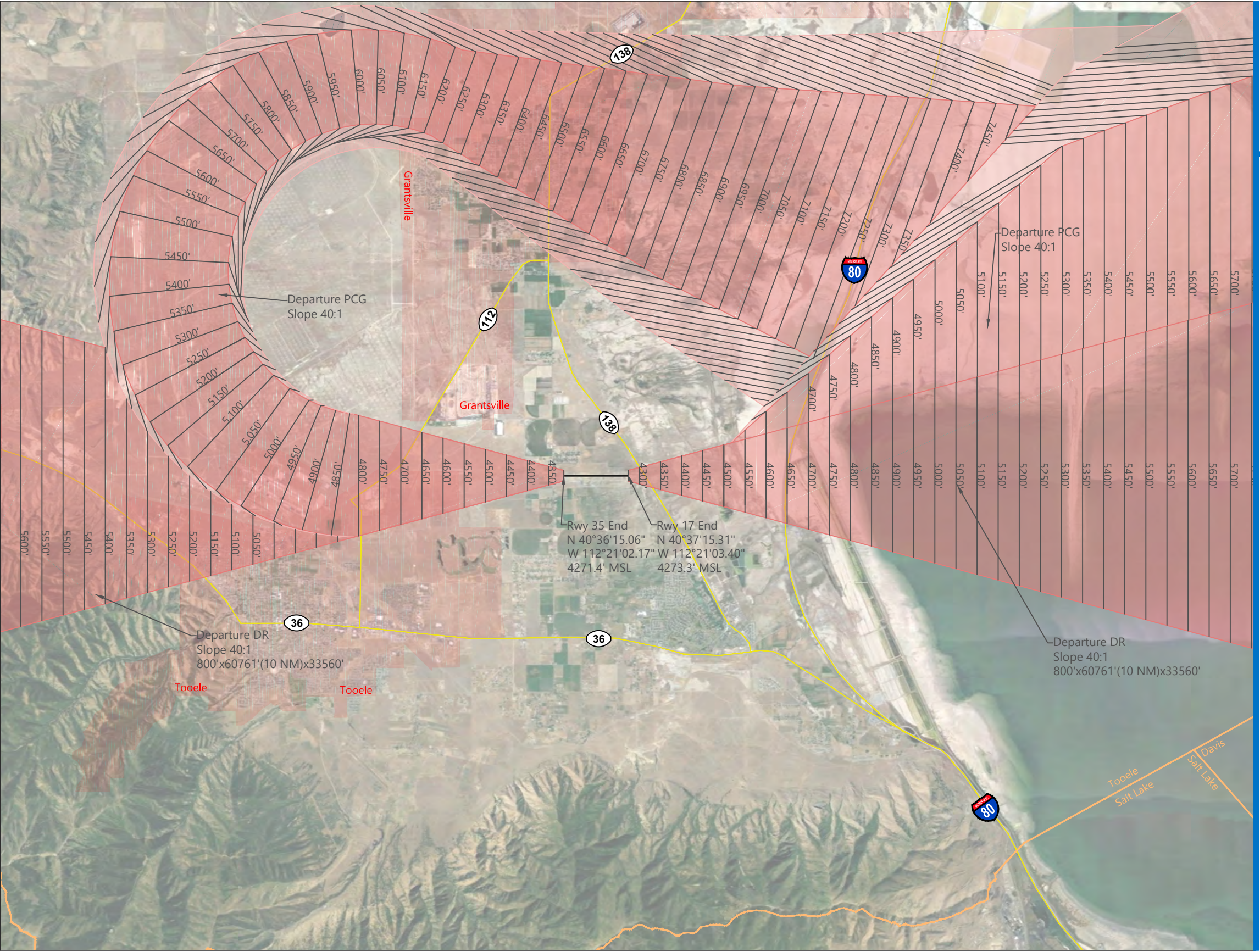


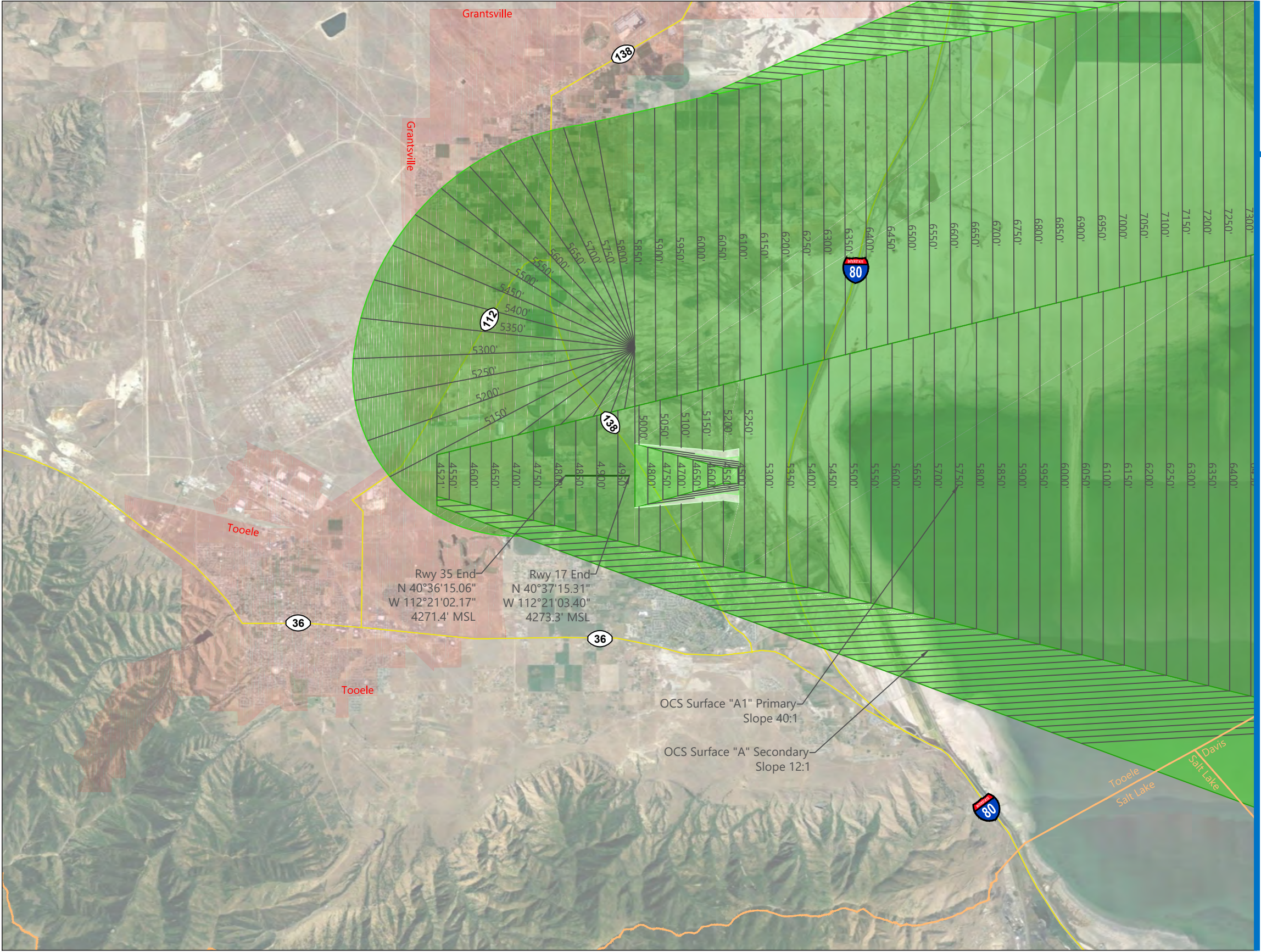
TERPS Departure Surfaces

Description	Symbol
Metro Township	
County Boundary	
Major Roadway	
Primary Departure Surface	
Secondary Departure Surface	

Definitions
DR - Dead Reckoning
OCS - Obstacle Clearance Surface
Object - any element of natural growth, terrain, or man-made structure whose height is greater than 3 inches.
PCG - Positive Course Guidance
TERPS - Terminal Instrument Procedures. Departure surface criteria only applies to those runway ends with approved/future instrument procedures.

Obstacle Criteria
An obstacle is defined as any object that does or would penetrate an OCS, or other specific flight procedures. Obstacles can impact climb gradient and minimal decent angles for aircraft operators.





TERPS Missed Approach Surfaces

Description	Symbol
Metro Township	<div></div>
County Boundary	<div></div>
Major Roadway	<div></div>
OCS Surface "A1"	<div></div>
OCS Surface "A"	<div></div>
OCS Surface "B"	<div></div>
OCS Surface "C"	<div></div>

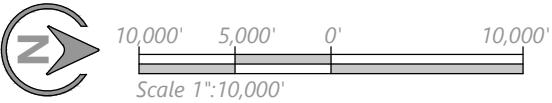
Definitions

OCS - Obstacle Clearance Surface
Object - any element of natural growth, terrain, or man-made structure whose height is greater than 3 inches.

TERPS - Terminal Instrument Procedures. Missed approach surface criteria only applies to those runway ends with approved/future instrument procedures.

Obstacle Criteria

An obstacle is defined as any object that does or would penetrate an OCS, or other specific flight procedures. Obstacles can impact climb gradient and minimal decent angles for aircraft operators.



VFR Traffic Pattern Airspace / Wildlife Boundary

Description	Symbol
Metro Township	
County Boundary	
Major Roadway	
Traffic Pattern Criteria "A"	
Traffic Pattern Criteria "B"	
Traffic Pattern Criteria "C"	
Wildlife Perimeter "B"	
Wildlife Perimeter "C"	

Definitions

AOA - Aircraft operating area

Object - any element of natural growth, terrain, or man-made structure whose height is greater than 3 inches.

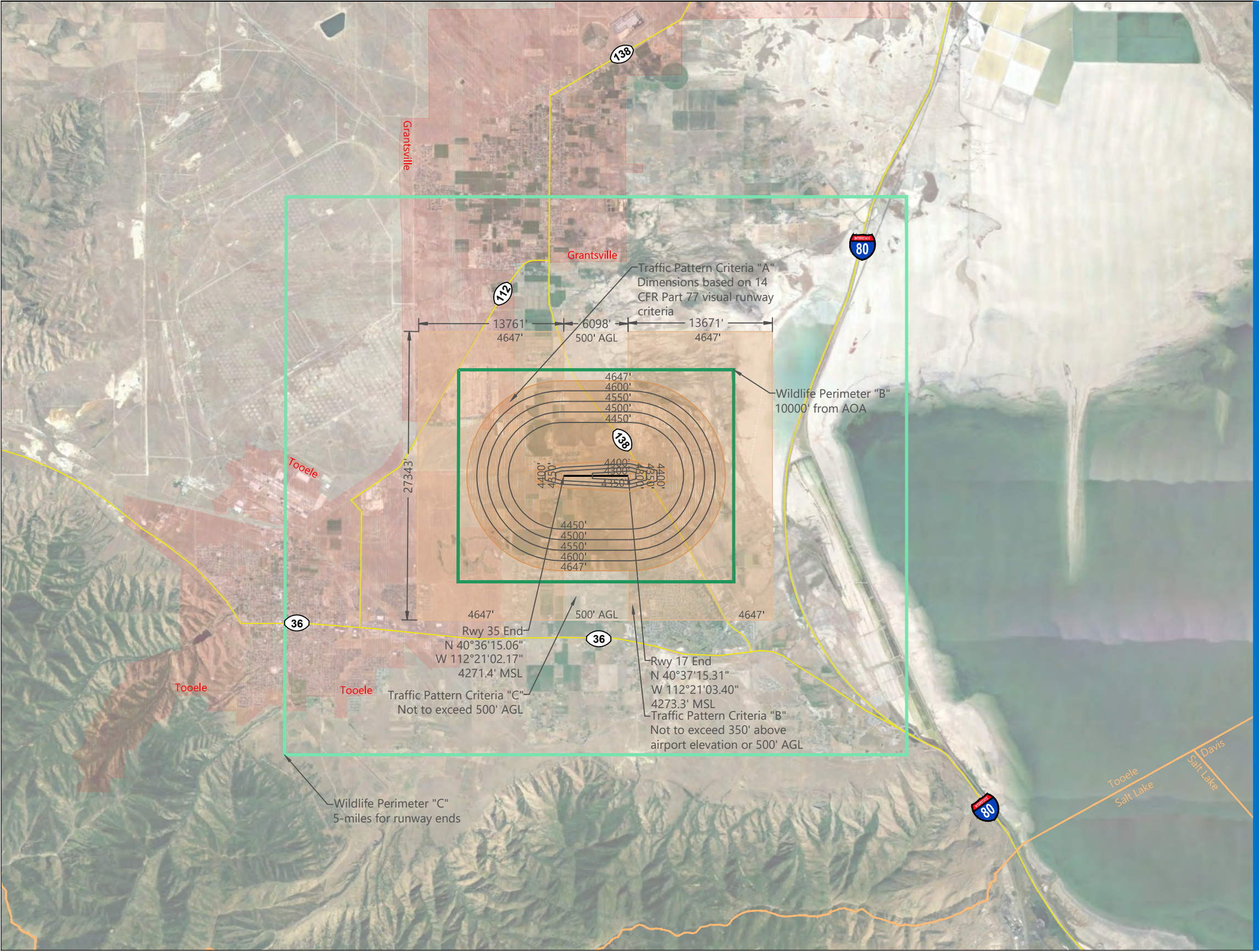
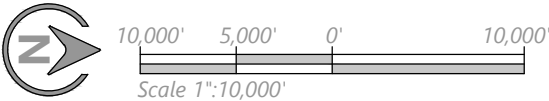
Traffic Pattern Criteria "A" - Dimensions and elevations are defined in 14 CFR Part 77 using visual runway criteria.

Wildlife Perimeter "B" - FAA recommends a separation distance of 10000 feet for any hazardous wildlife attractant mentioned in Section 2 in FAA Advisory Circular 150/5200-33B.






Wildlife Perimeter "C" - FAA recommends a distance of 5 statue miles between the airport and the hazardous wildlife attractant if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace.

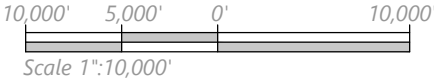
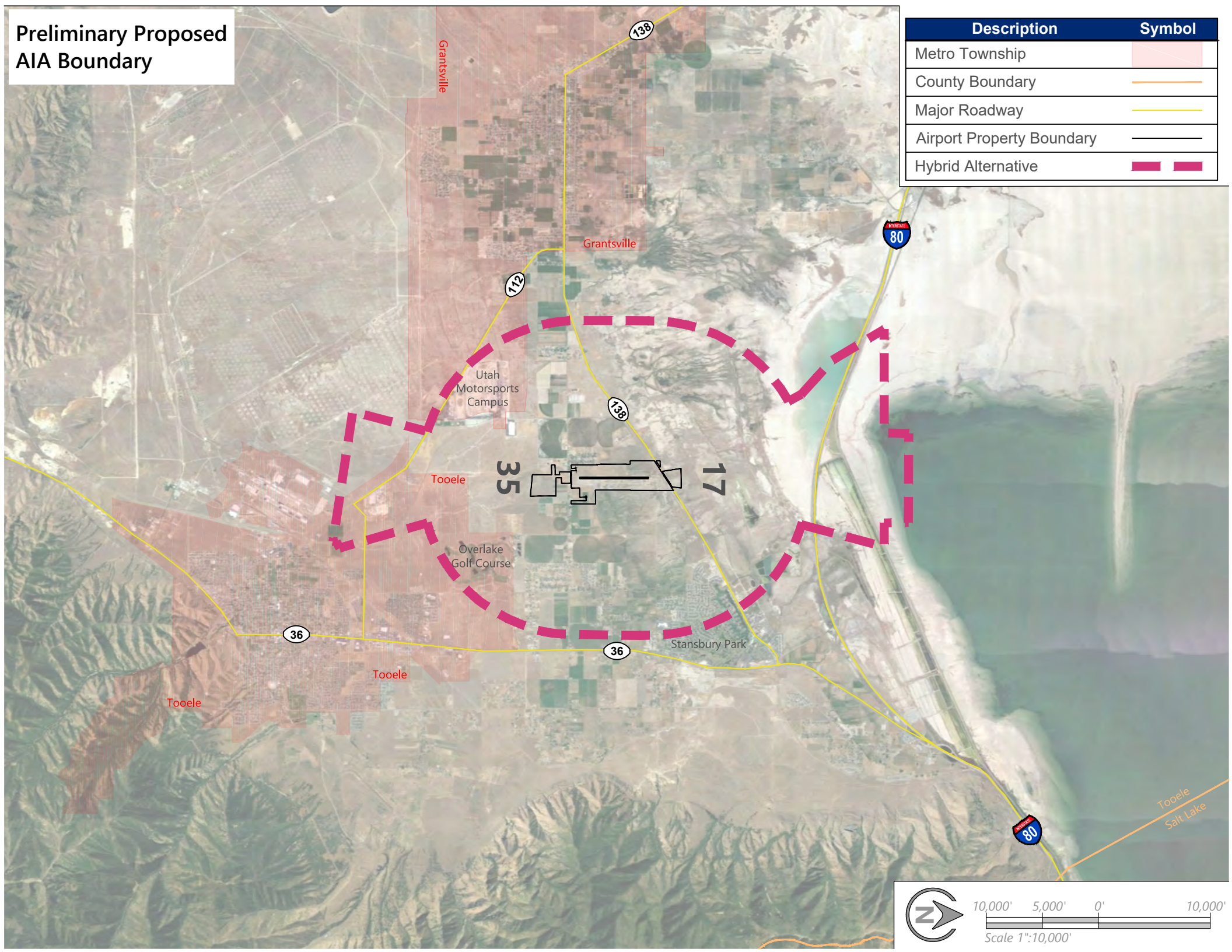
Obstruction Criteria

An object penetrating Traffic Pattern Criteria "A", "B" and/or "C".








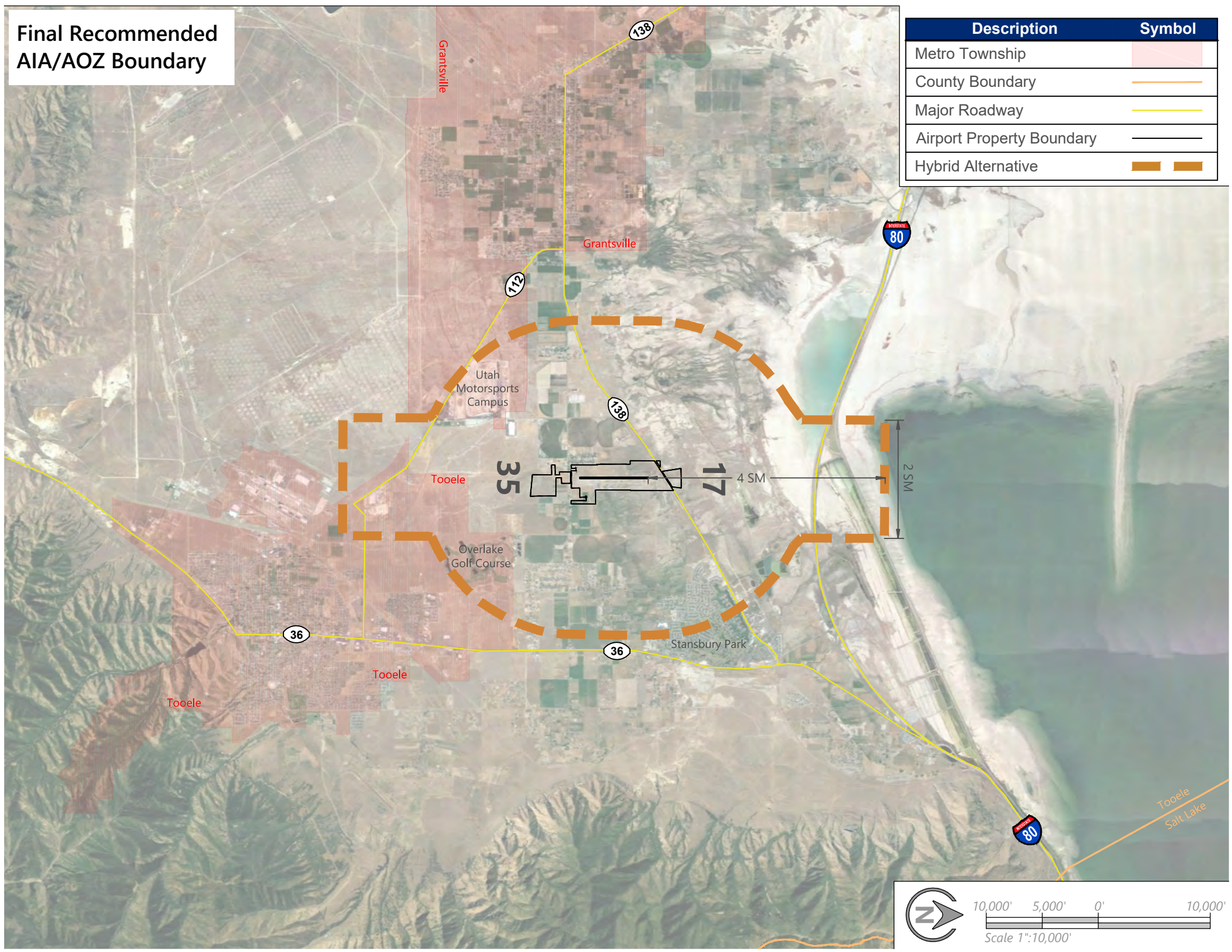
Preliminary Proposed
AIA Boundary

Description	Symbol
Metro Township	
County Boundary	
Major Roadway	
Airport Property Boundary	
Hybrid Alternative	



Final Recommended
AIA/AOZ Boundary




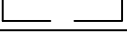

Description	Symbol
Metro Township	
County Boundary	
Major Roadway	
Airport Property Boundary	
Hybrid Alternative	

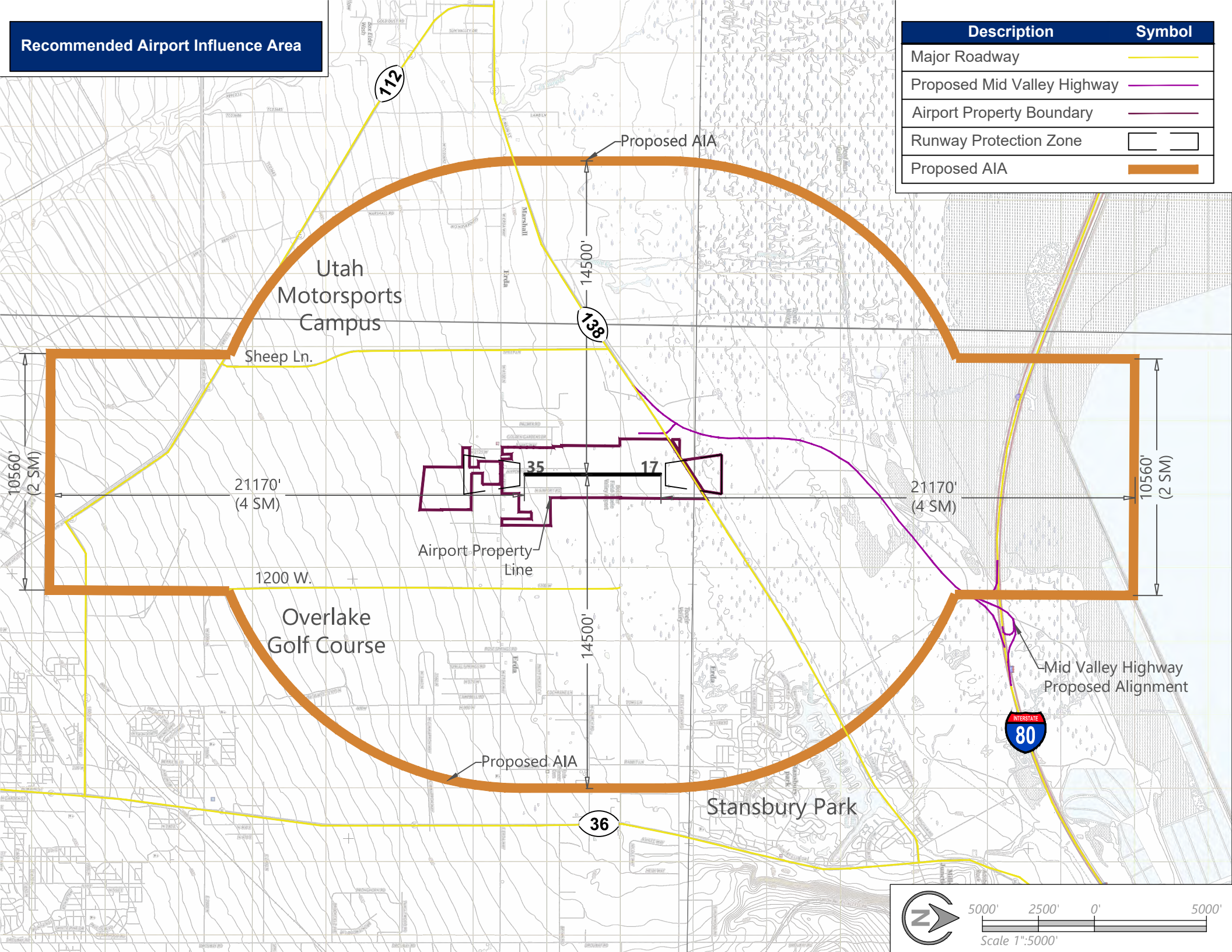


APPENDIX F




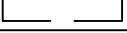





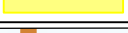
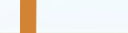

*AIRPORT OVERLAY ZONE
DEVELOPMENT*

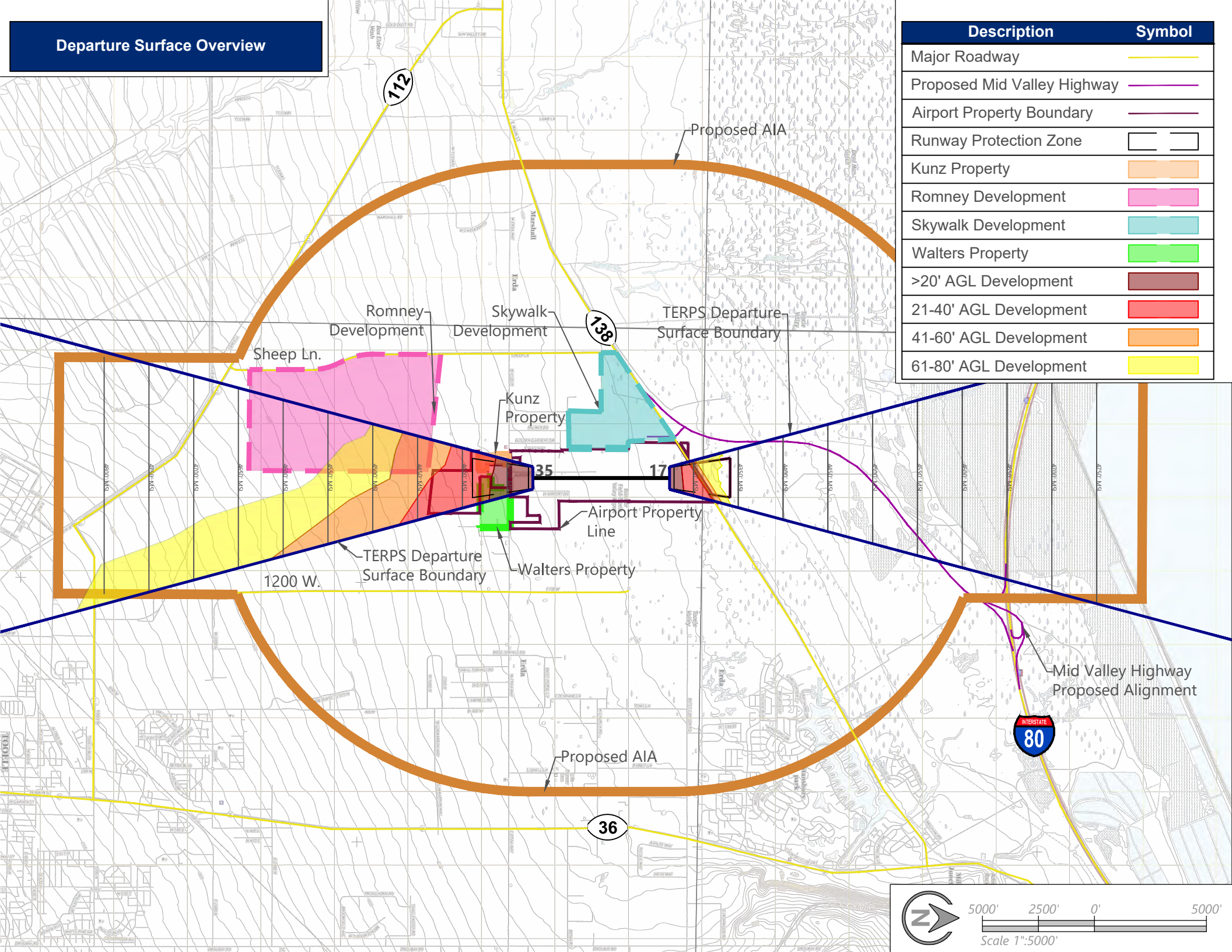
Recommended Airport Influence Area

Description	Symbol
Major Roadway	
Proposed Mid Valley Highway	
Airport Property Boundary	
Runway Protection Zone	
Proposed AIA	

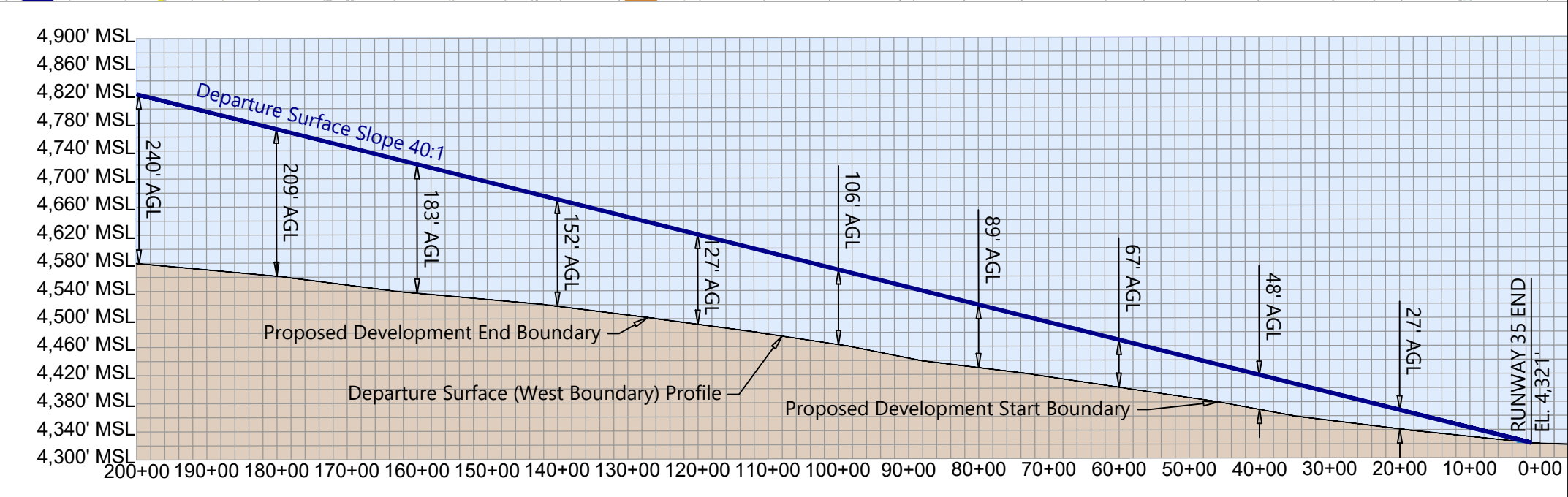
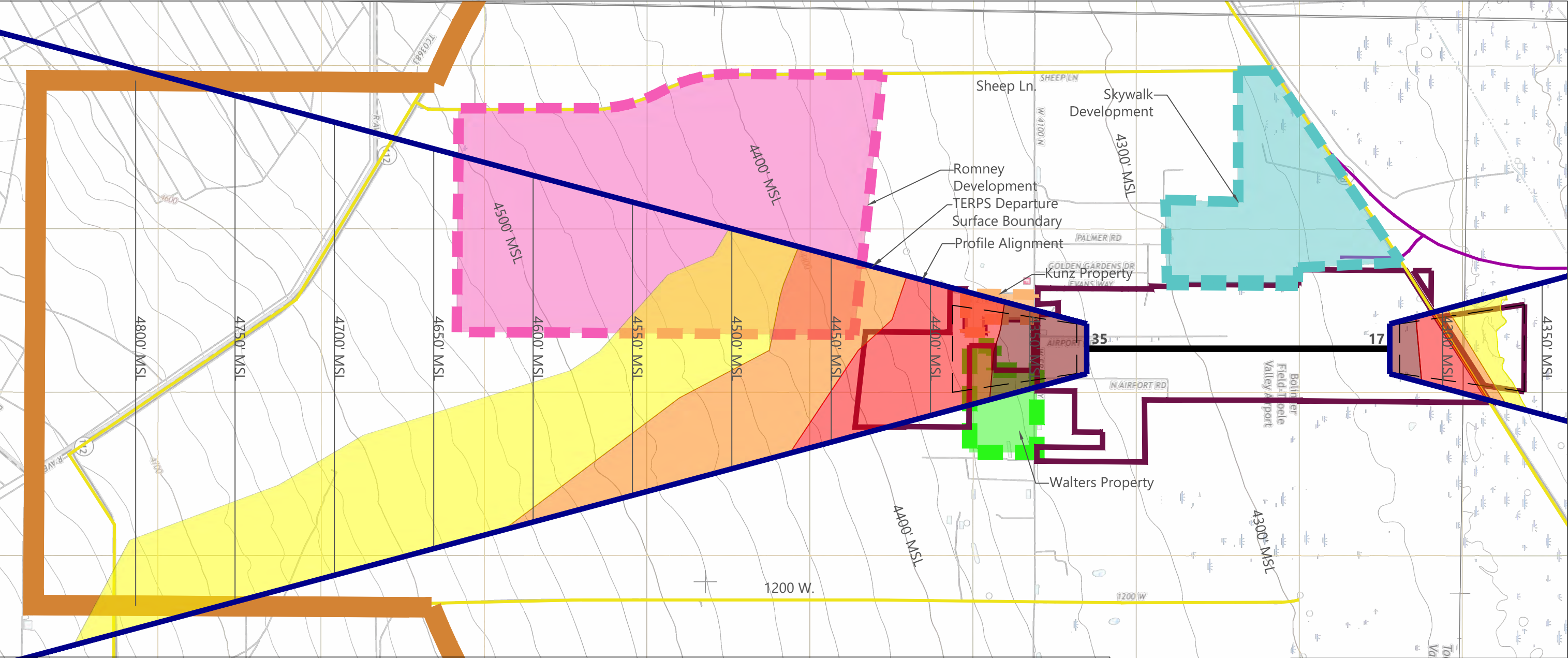


Departure Surface Overview

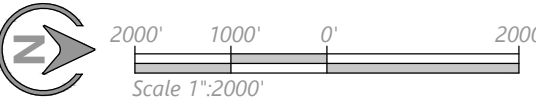
Description	Symbol
Major Roadway	
Proposed Mid Valley Highway	
Airport Property Boundary	
Runway Protection Zone	
Kunz Property	
Romney Development	
Skywalk Development	
Walters Property	
>20' AGL Development	
21-40' AGL Development	
41-60' AGL Development	
61-80' AGL Development	



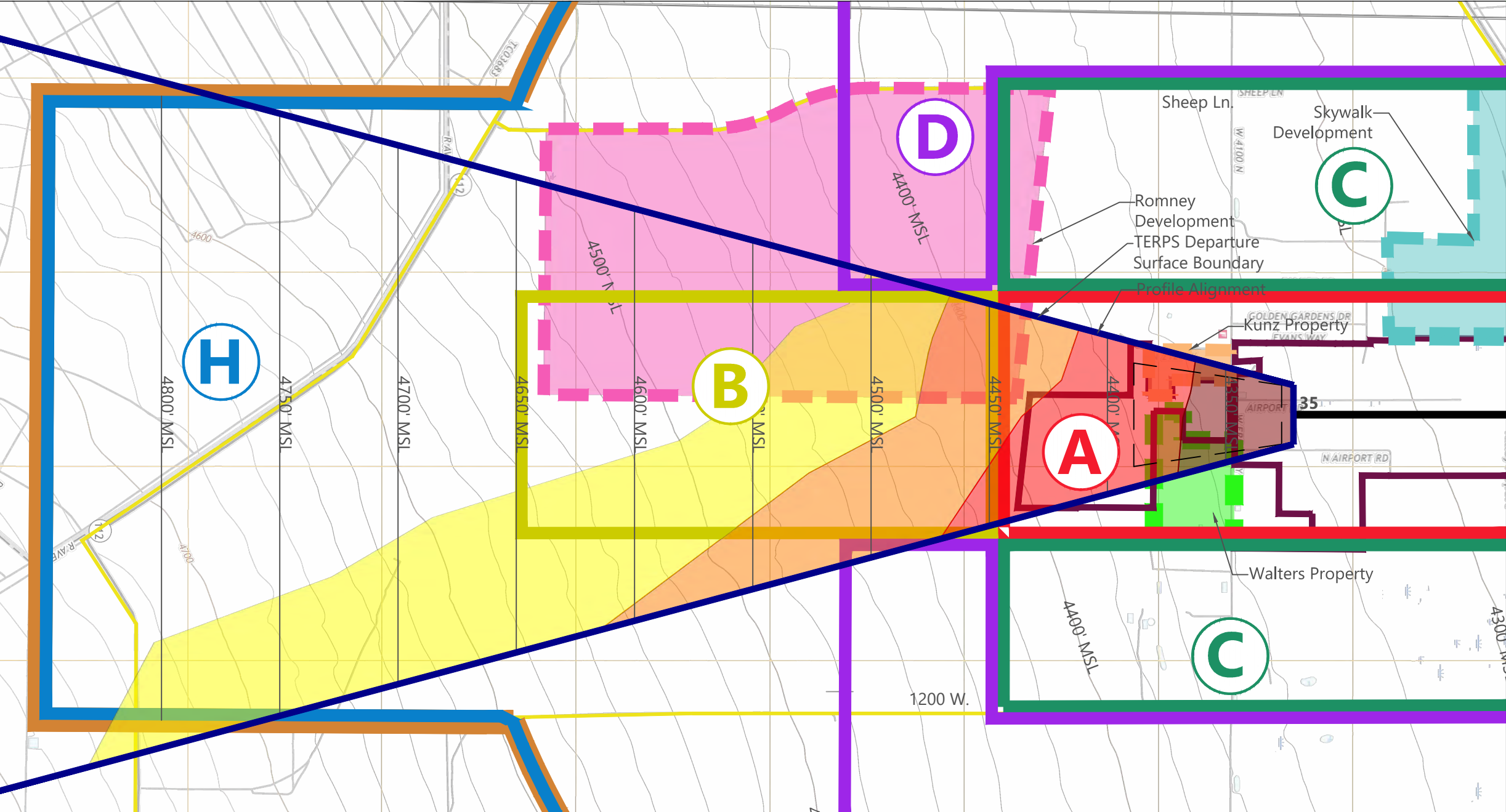
RUNWAY 35 PLAN AND PROFILE ALONG WEST DEPARTURE SURFACE BOUNDARY



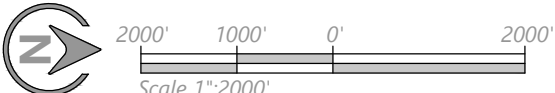
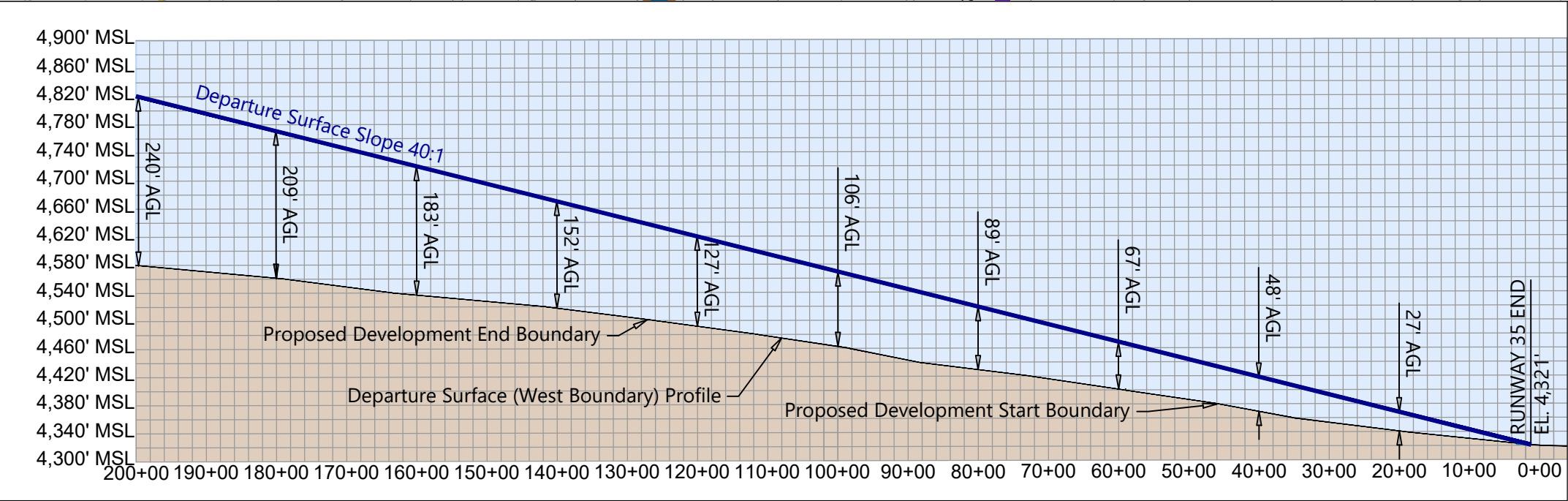
Description	Symbol
Proposed AIA	
Departure Surface	
Major Roadway	
Airport Property Boundary	
Kunz Property	
Romney Development	
Skywalk Development	
Walters Property	
<20' AGL Development	
21-40' AGL Development	
41-60' AGL Development	
61-80' AGL Development	



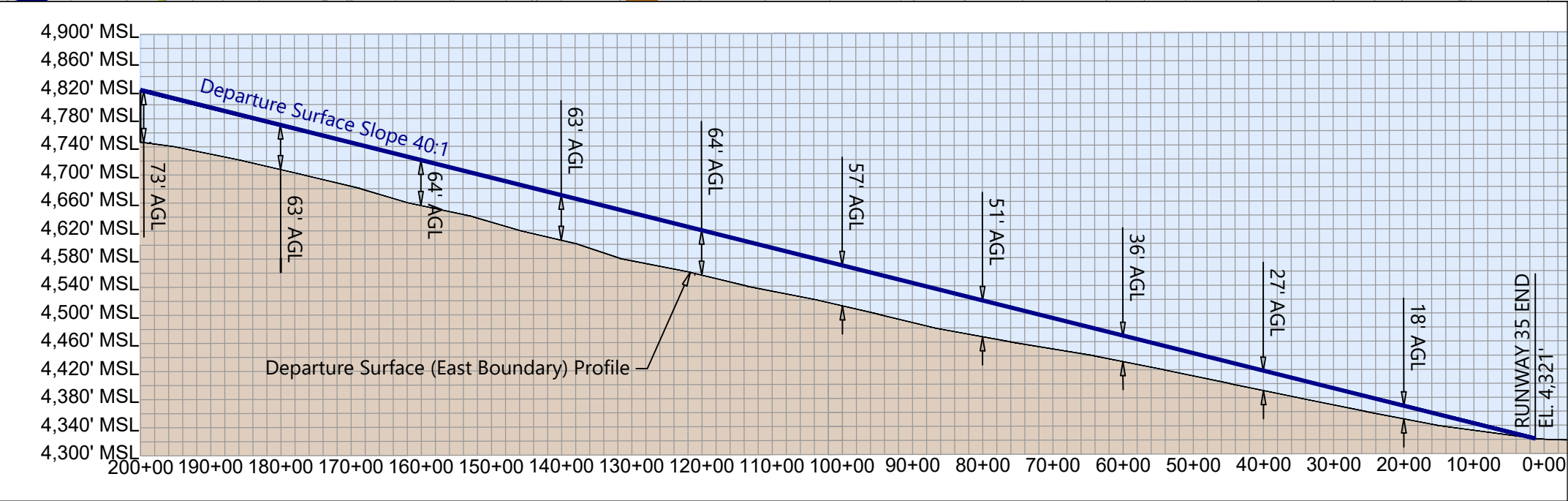
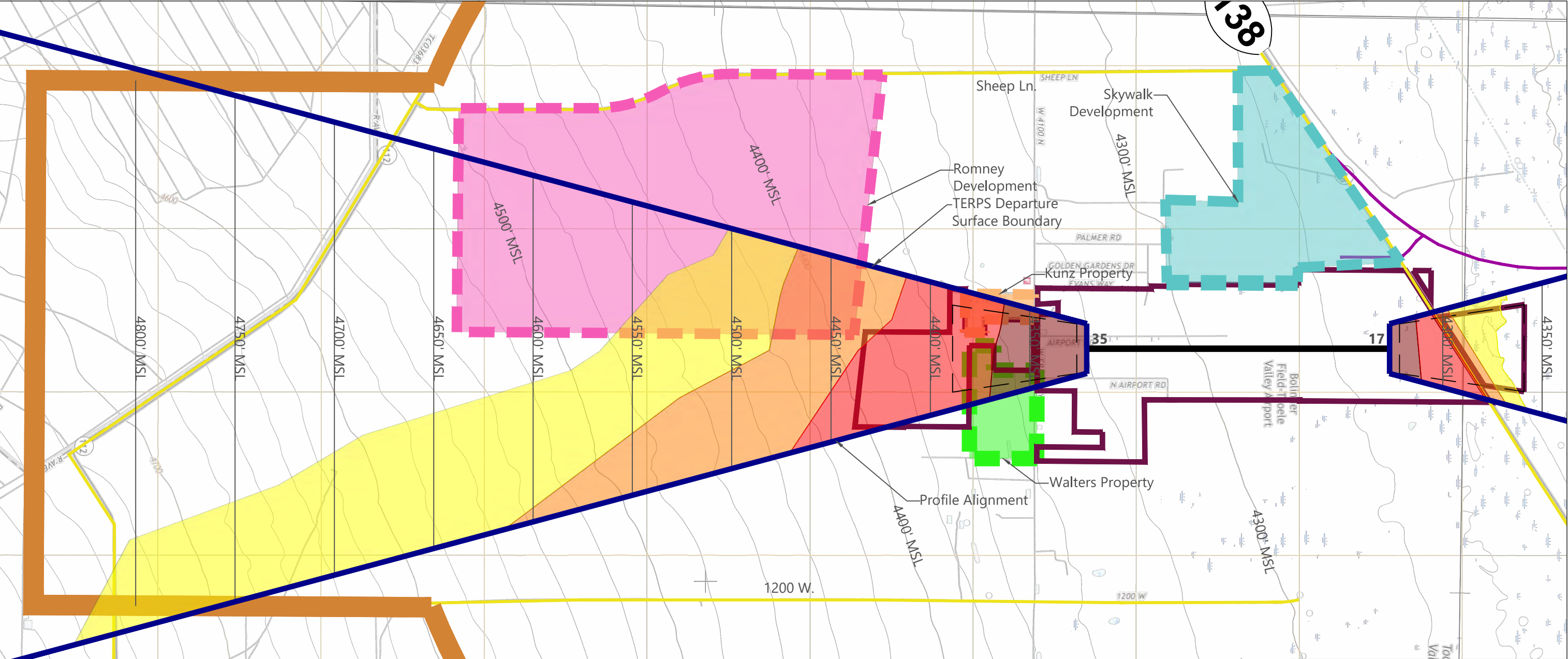
RUNWAY 35 PLAN AND PROFILE ALONG WEST DEPARTURE SURFACE BOUNDARY WITH AOA



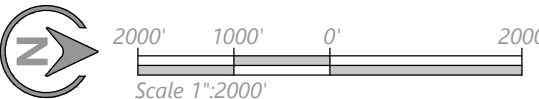
Description	Symbol
Proposed AIA	<div></div>
Departure Surface	<div></div>
Major Roadway	<div></div>
Proposed Mid Valley Highway	<div></div>
Airport Property Boundary	<div></div>
Kunz Property	<div></div>
Romney Development	<div></div>
Skywalk Development	<div></div>
Walters Property	<div></div>
<20' AGL Development	<div></div>
21-40' AGL Development	<div></div>
41-60' AGL Development	<div></div>
61-80' AGL Development	<div></div>
AOZ-A	<div></div>
AOZ-B	<div></div>
AOZ-C	<div></div>
AOZ-D	<div></div>
AOZ-H	<div></div>



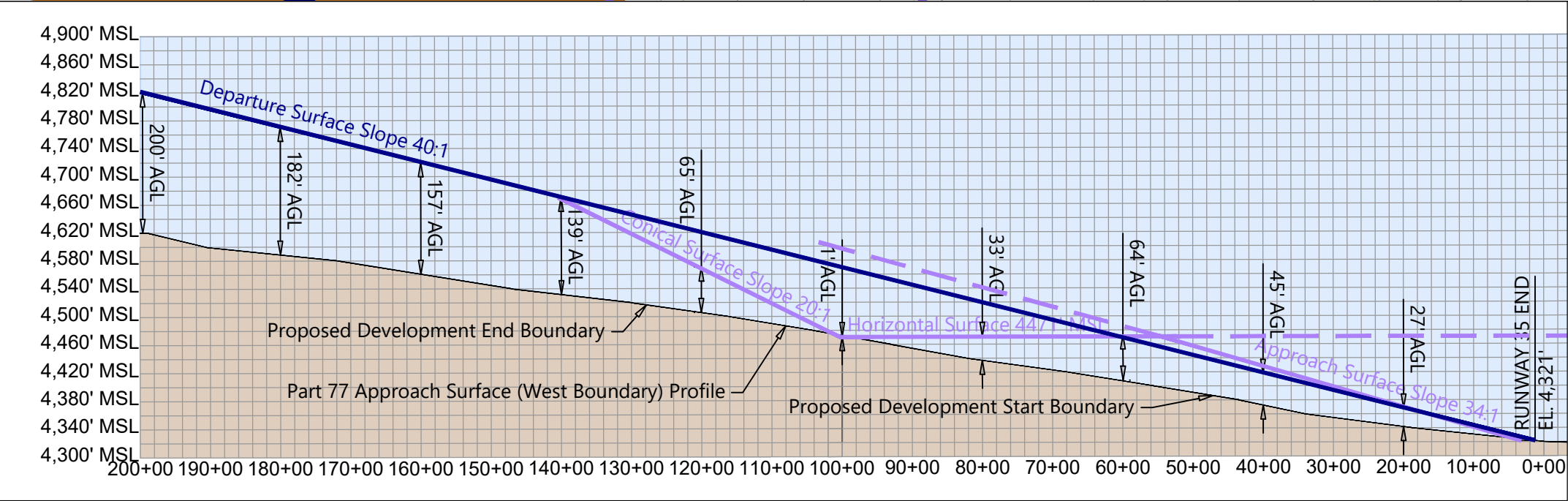
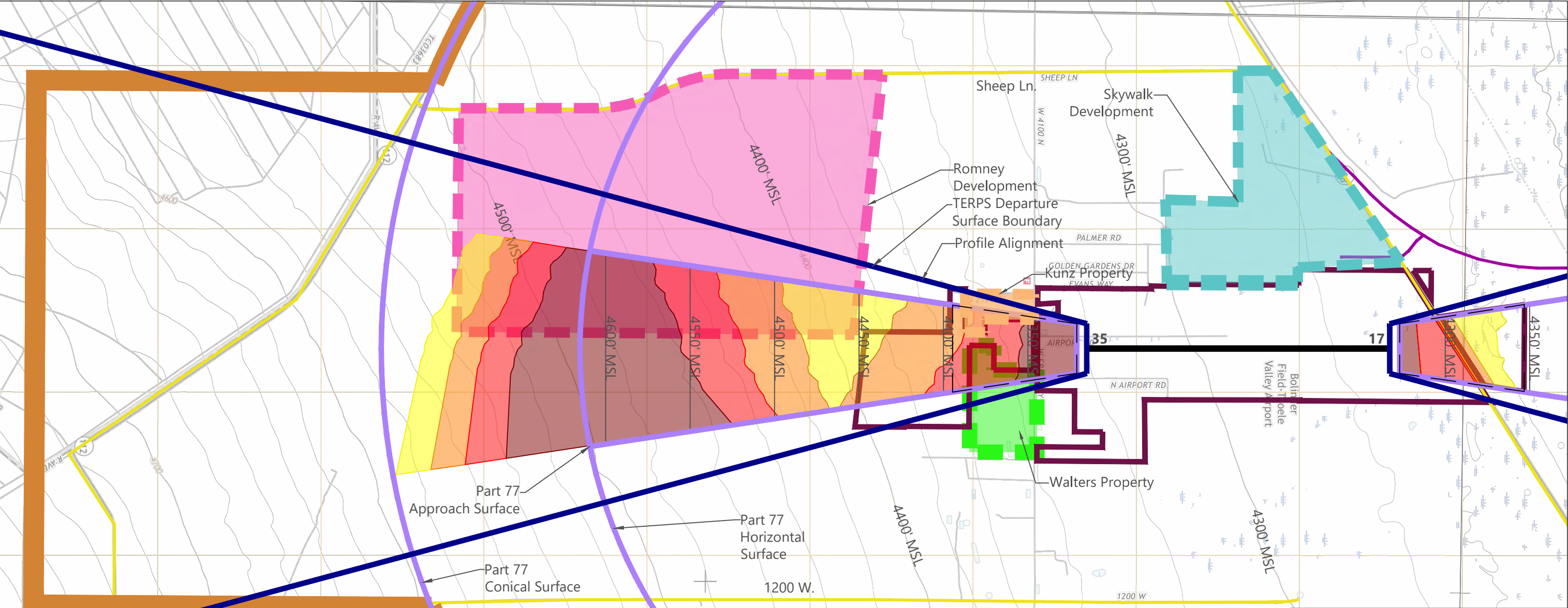
RUNWAY 35 PLAN AND PROFILE ALONG EAST DEPARTURE SURFACE BOUNDARY



Description	Symbol
Proposed AIA	
Departure Surface	
Major Roadway	
Airport Property Boundary	
Kunz Property	
Romney Development	
Skywalk Development	
Walters Property	
<20' AGL Development	
21-40' AGL Development	
41-60' AGL Development	
61-80' AGL Development	

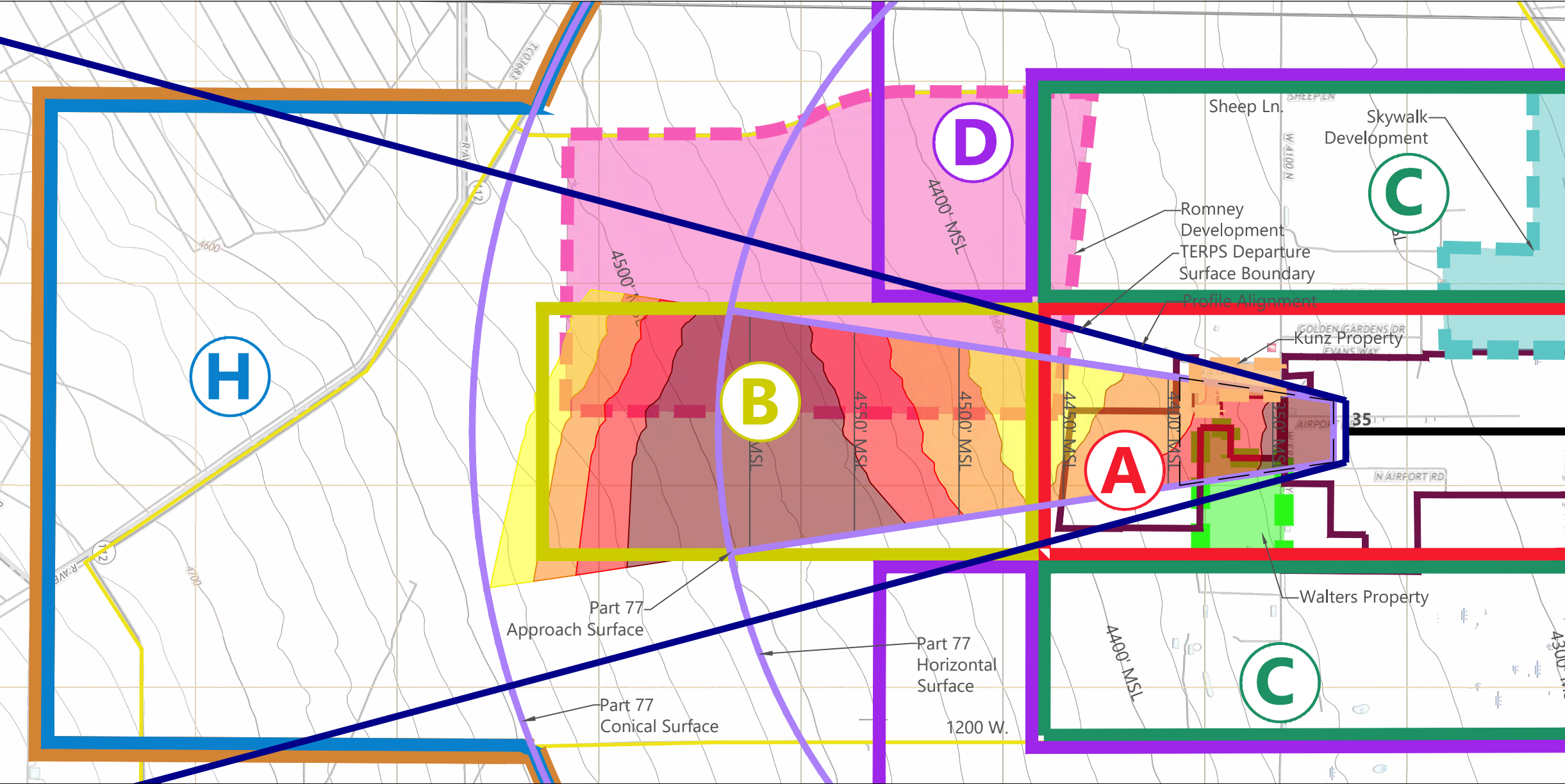


RUNWAY 35 PLAN AND PROFILE ALONG WEST PART 77 APPROACH SURFACE BOUNDARY

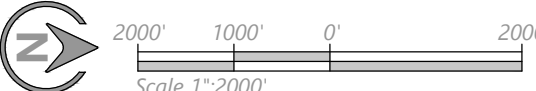
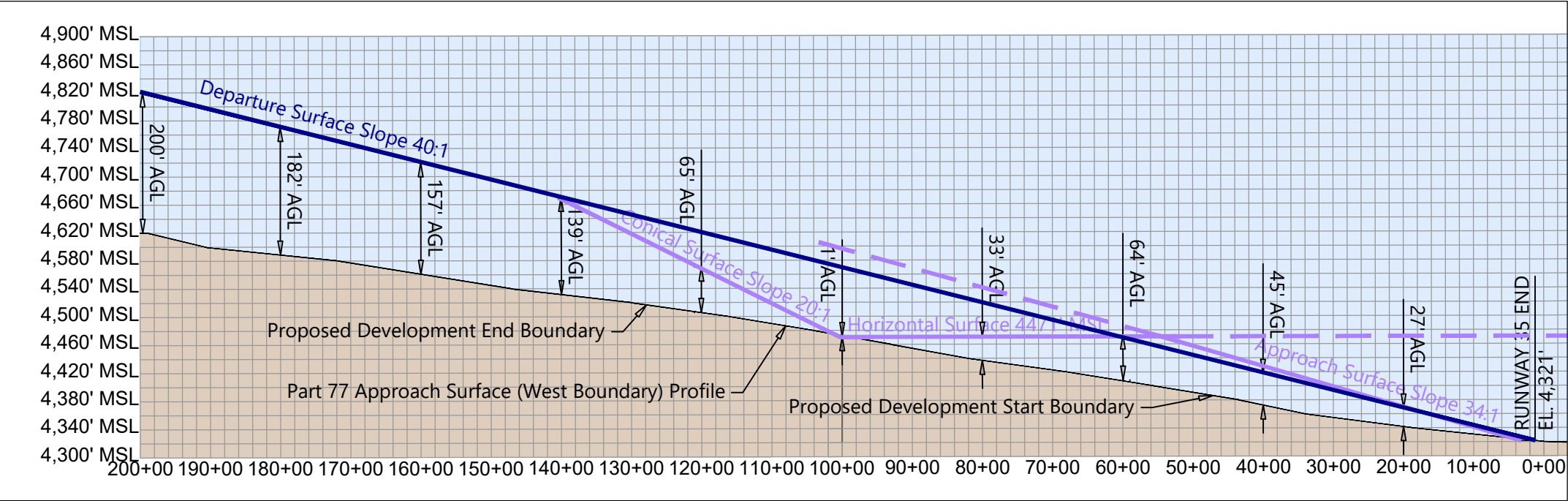


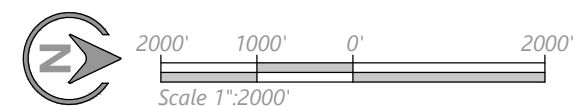
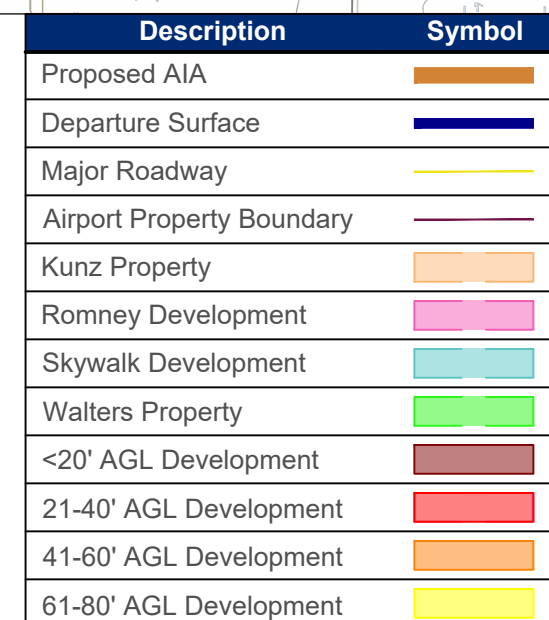
Description	Symbol
Proposed AIA	
Departure Surface	
Major Roadway	
Airport Property Boundary	
Kunz Property	
Romney Development	
Skywalk Development	
Walters Property	
<20' AGL Development	
21-40' AGL Development	
41-60' AGL Development	
61-80' AGL Development	

RUNWAY 35 PLAN AND PROFILE ALONG WEST PART 77 APPROACH SURFACE BOUNDARY WITH AOE

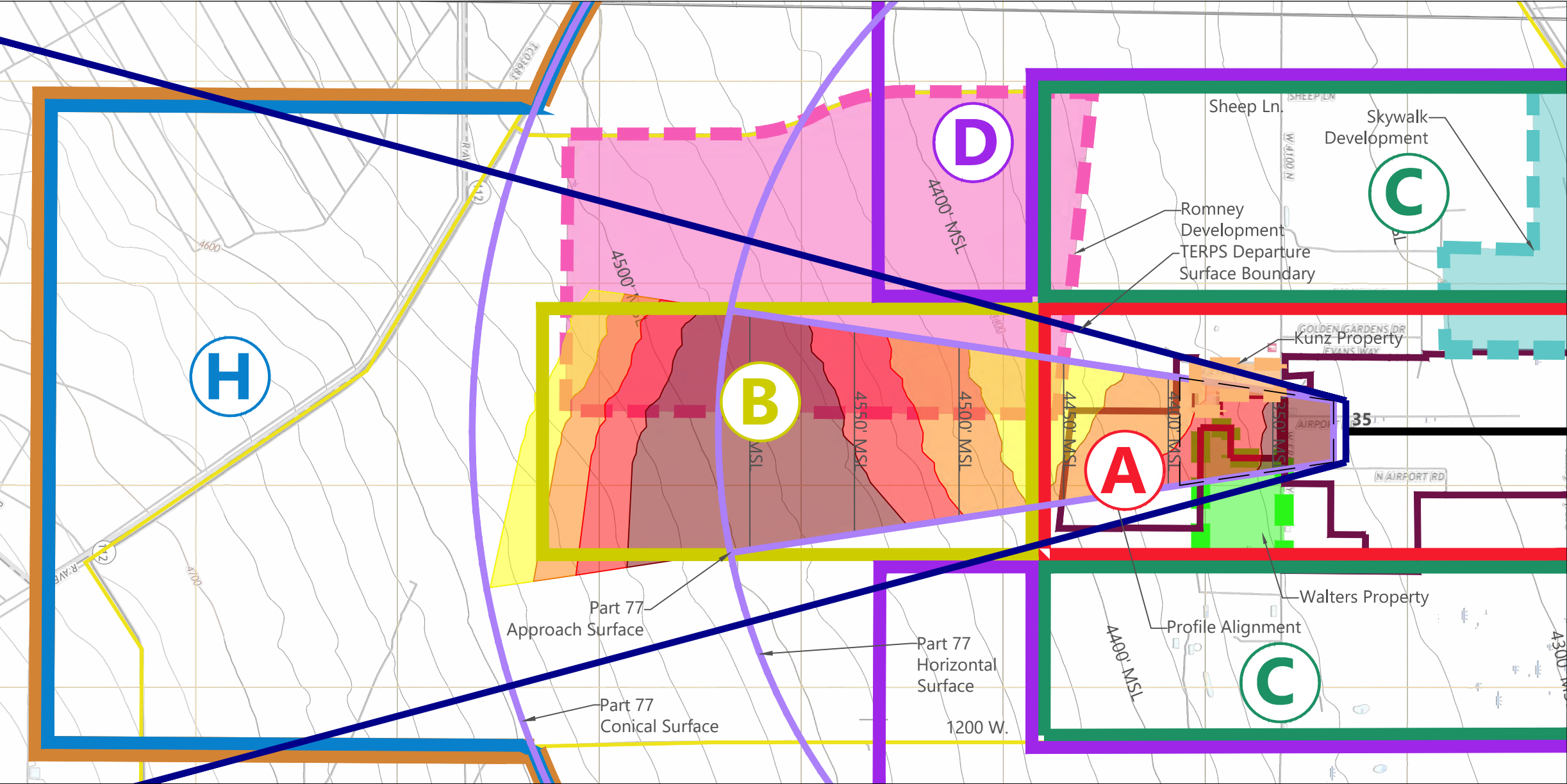


Description	Symbol
Proposed AIA	
Departure Surface	
Major Roadway	
Proposed Mid Valley Highway	
Airport Property Boundary	
Kunz Property	
Romney Development	
Skywalk Development	
Walters Property	
<20' AGL Development	
21-40' AGL Development	
41-60' AGL Development	
61-80' AGL Development	
AOZ-A	
AOZ-B	
AOZ-C	
AOZ-D	
AOZ-H	

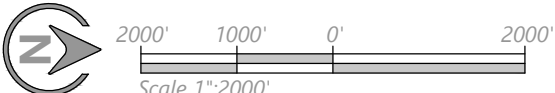
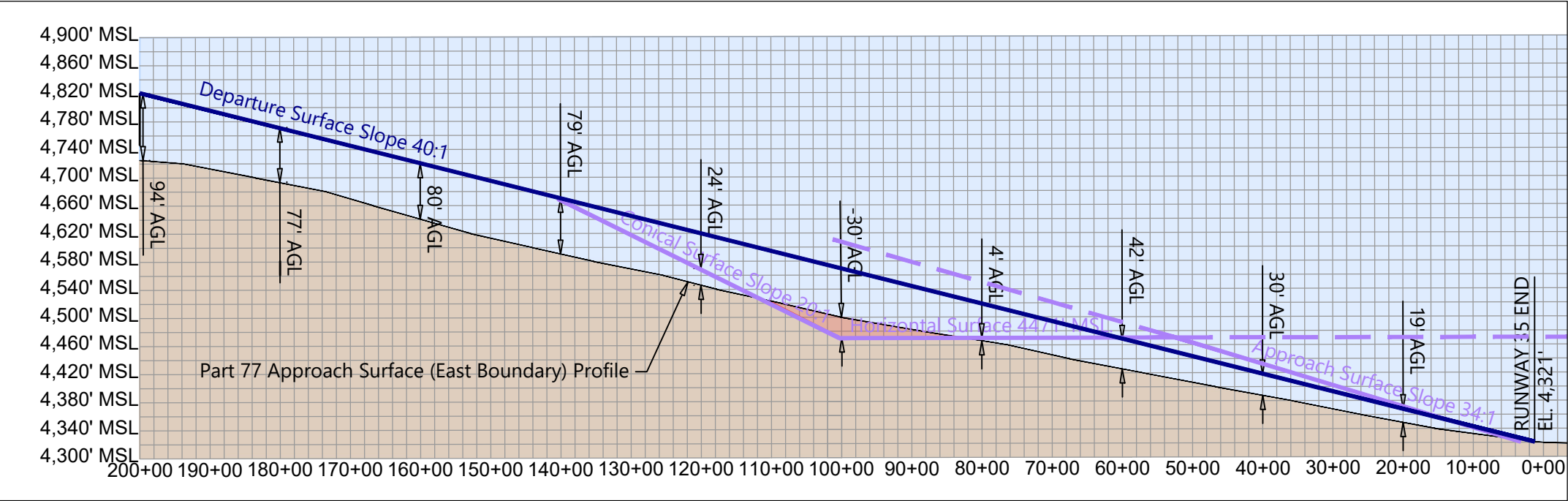




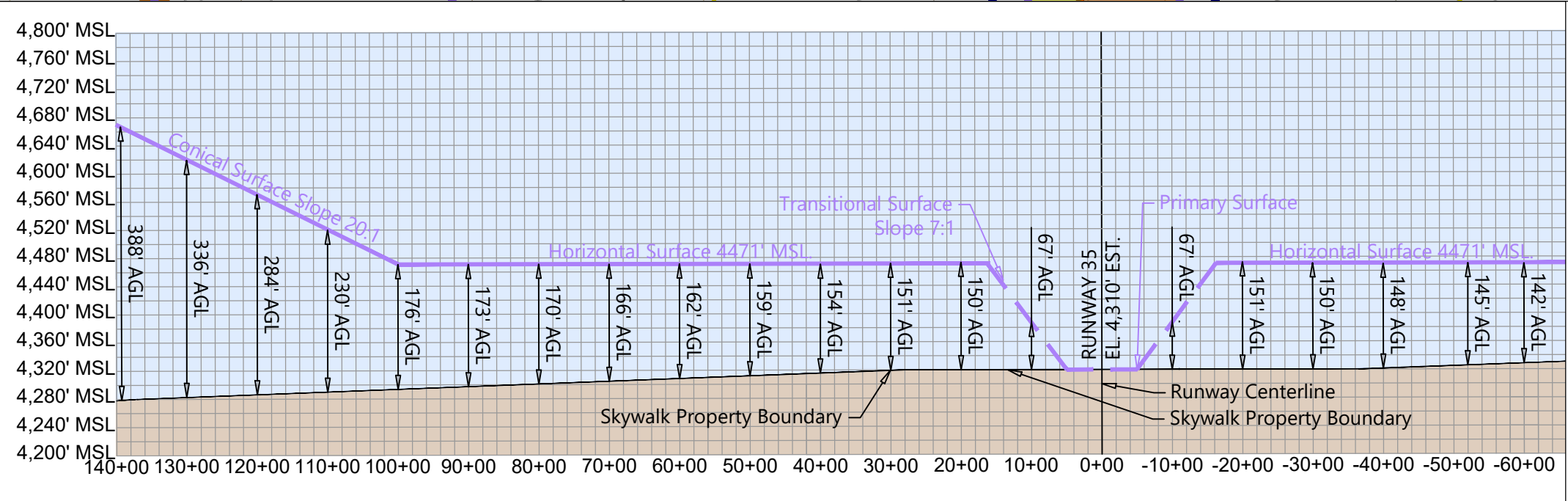
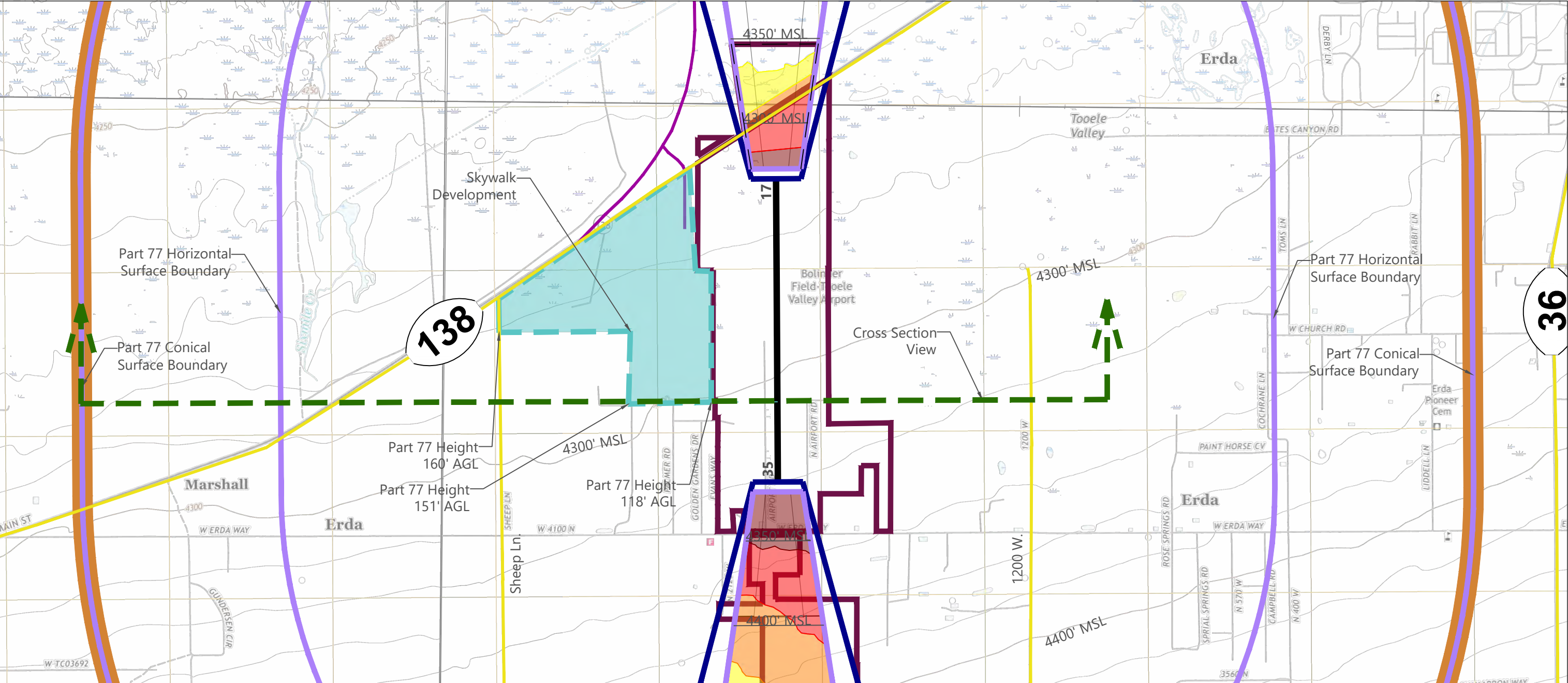
RUNWAY 35 PLAN AND PROFILE ALONG EAST PART 77 APPROACH SURFACE BOUNDARY WITH AOE



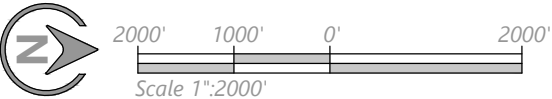
Description	Symbol
Proposed AIA	
Departure Surface	
Major Roadway	
Proposed Mid Valley Highway	
Airport Property Boundary	
Kunz Property	
Romney Development	
Skywalk Development	
Walters Property	
<20' AGL Development	
21-40' AGL Development	
41-60' AGL Development	
61-80' AGL Development	
AOZ-A	
AOZ-B	
AOZ-C	
AOZ-D	
AOZ-H	






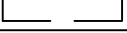






RUNWAY 35 PLAN AND PROFILE ALONG PART 77 TRANSITIONAL SURFACE BOUNDARY

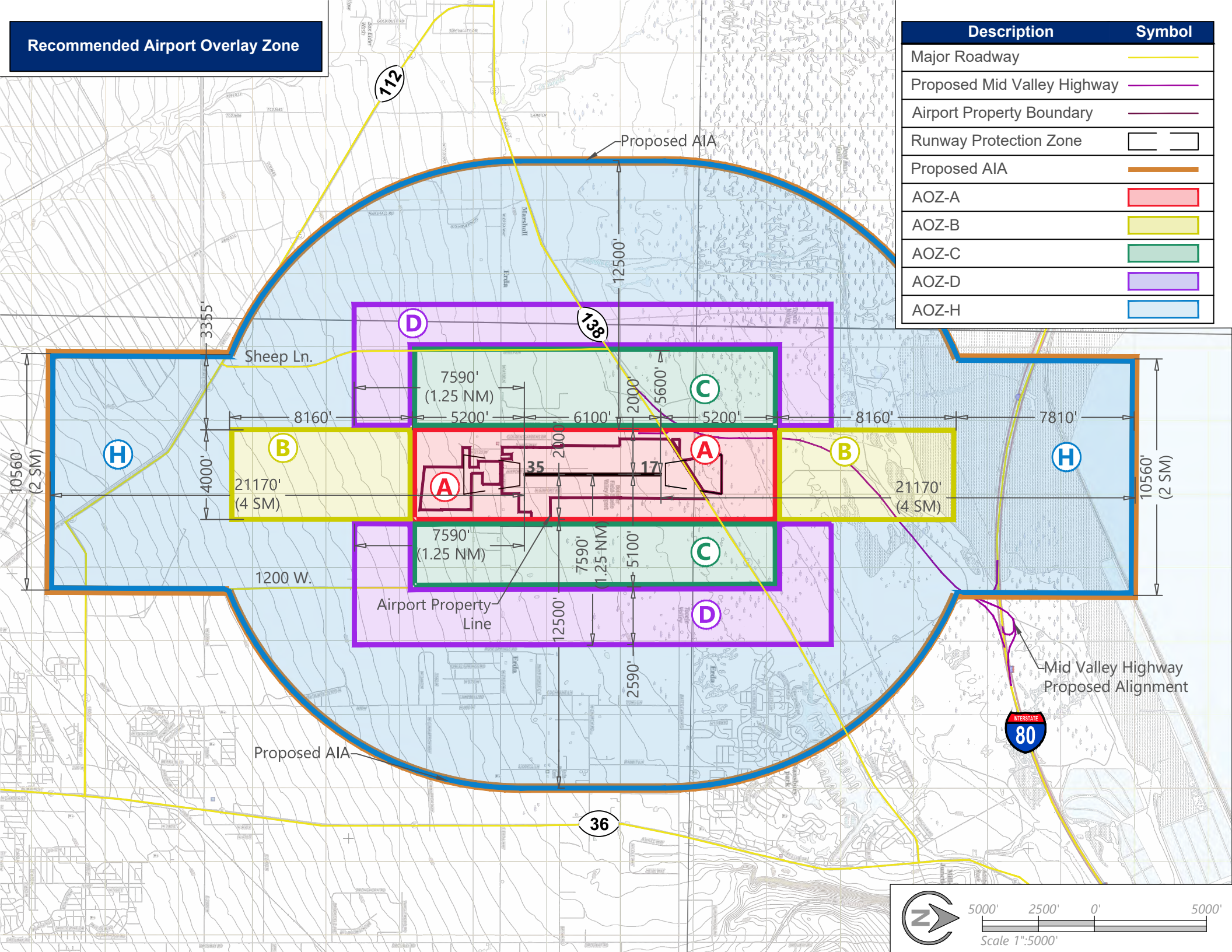


Description	Symbol
Proposed AIA	
Part 77 Imaginary Surfaces	
Departure Surface	
Major Roadway	
Proposed Mid Valley Highway	
Airport Property Boundary	
Proposed Development	
<20' AGL Development	
21-40' AGL Development	
41-60' AGL Development	
61-80' AGL Development	




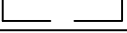











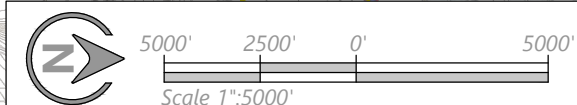
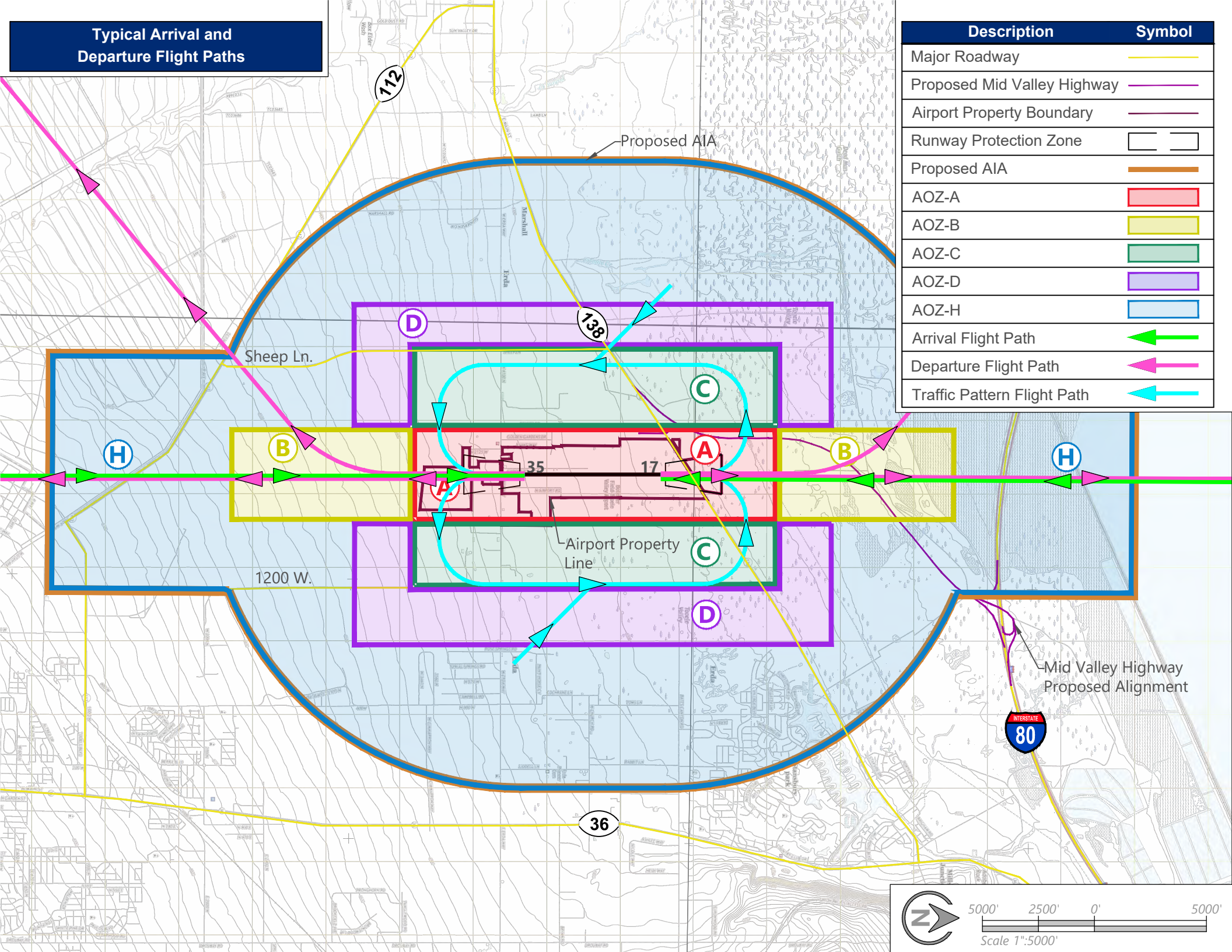
Recommended Airport Overlay Zone

Description	Symbol
Major Roadway	
Proposed Mid Valley Highway	
Airport Property Boundary	
Runway Protection Zone	
Proposed AIA	
AOZ-A	
AOZ-B	
AOZ-C	
AOZ-D	
AOZ-H	



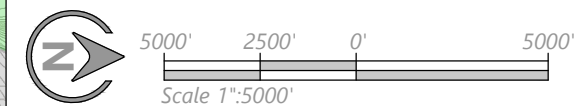
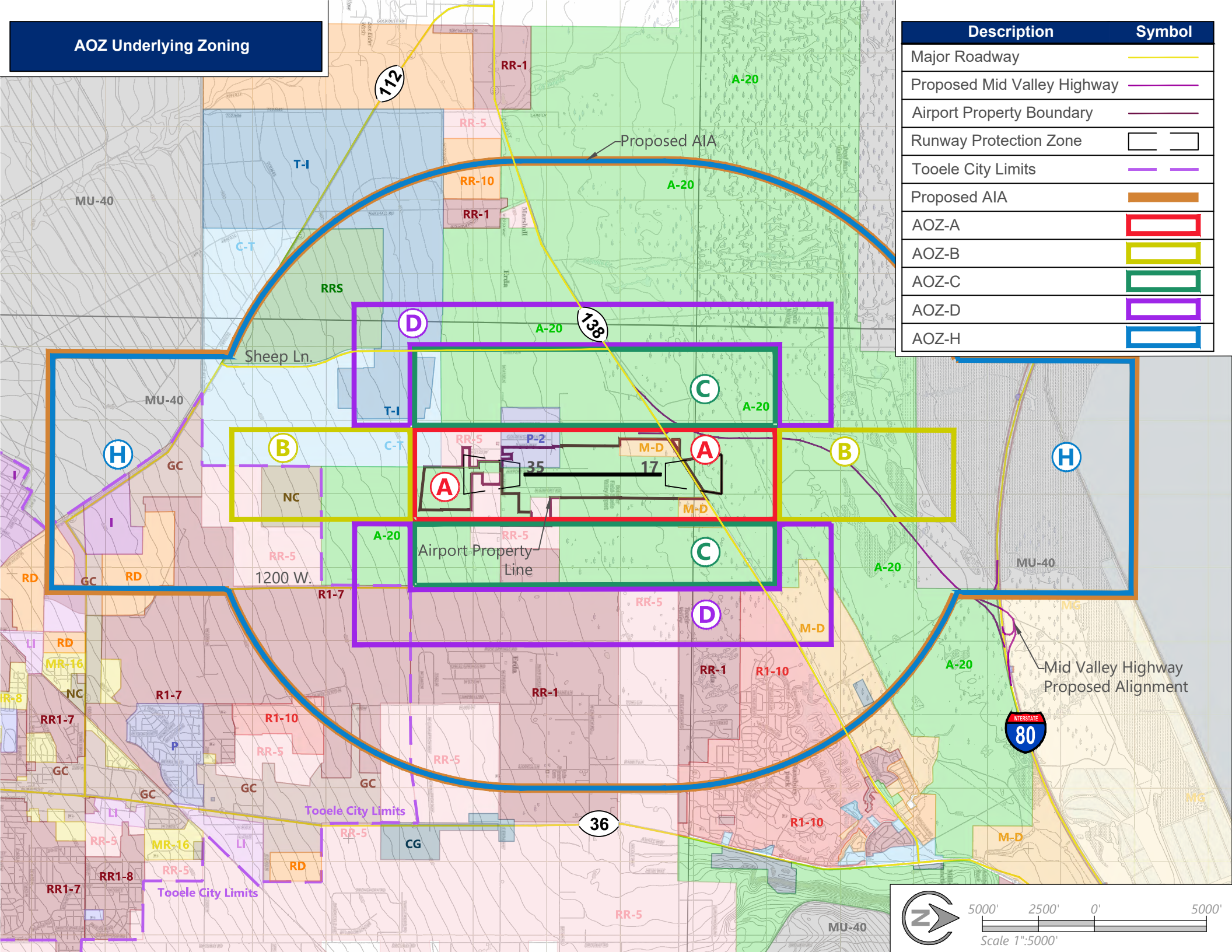
Typical Arrival and Departure Flight Paths

Description	Symbol
Major Roadway	
Proposed Mid Valley Highway	
Airport Property Boundary	
Runway Protection Zone	
Proposed AIA	
AOZ-A	
AOZ-B	
AOZ-C	
AOZ-D	
AOZ-H	
Arrival Flight Path	
Departure Flight Path	
Traffic Pattern Flight Path	



AOZ Underlying Zoning

Description	Symbol
Major Roadway	
Proposed Mid Valley Highway	
Airport Property Boundary	
Runway Protection Zone	
Tooele City Limits	
Proposed AIA	
AOZ-A	
AOZ-B	
AOZ-C	
AOZ-D	
AOZ-H	



From: [Danny Benson](#)
To: [Jeffrey C. Miller](#)
Subject: Airport AOZA rezoning
Date: Tuesday, December 1, 2020 12:15:36 PM

Dec. 1 2020

To the Planing and Zoning Commission,

I am Danny Benson, my wife is Clementine Benson, we have lived in the Golden Gardens Subdivision for over 41 years, at 4303N Golden Gardens Drive.

I am writing to express my TOTAL opposition to the proposed AOZA zoning change at the request of the airport.

This rezoning would have disastrous effect on our property use and property values. They say they would buy our houses at Fair Market Value, but the minute you pass this zoning our property values will plummet , we will be restricted on what we can do as far as improvements and as we die off can't leave the property to our family.

If you insist on forcing us into this disaster the least you could do is insist they pay in kind replacement, not market price, which they will artificially force the prices down.

This will restrict what we can build on our property, and what improvements can be made. It will leave us at the whim of the airport as they will have to approve of any improvements. We are already restricted to building and zoning requirements of the county.

We aren't and haven't been a problem for the airport and don't feel they should have control over our lives.

Danny Benson,
Clementine Benson

From: [Sue Barker](#)
To: [Jeffrey C. Miller](#)
Subject: Airport Zoning Discussion
Date: Tuesday, December 1, 2020 5:03:22 PM

Dear Planning and Zoning Commission,

We understand that you will again be discussing the request from the Salt Lake City airport about the rezoning of areas surrounding the airport in Erda.

We oppose this action. We have lived on Golden Gardens Drive for 43 years. We have put a lot of time and money into improving our property. It would be very unfair for the County to impose restrictions on our property to accommodate the airport. Our property values would greatly decrease. The airport's problem is not the County's problem. Their Zone A should only include the property that they legally own. It should not include other people's property!! We want to be removed from their Zone A!!

Why should the airport be able to tell the County how to zone an existing residential area. Please end these talks now!! Please stand up for us!!

Thank you,

Bill and Susan Barker

From: [Michael Mollard](#)
To: [Jeffrey C. Miller](#)
Subject: airport
Date: Tuesday, December 1, 2020 5:41:31 PM

My name is Lesley Mollard. I have lived in Erda for 14 years. This is my home! I moved to Erda to have space to raise my family. I voted for Erda to be incorporated. It passed. I voted so that other government entities would not have the ability to take pieces of Erda to add to other areas. I want to be removed from AOZ A. I want to be left alone and have the peace to raise my family. Government agencies for too long have imposed themselves on me and mine. I am an American citizen and as my forefathers specified I have the right to life liberty and the pursuit of happiness. Government is suppose to be minimal yet it is growing to impose itself on my rights and property every day. It needs to stop!! Make it stop! As a tax payer and Tooele, Utah, American citizen I have spoken and demand to be heard! This is my home! No one has the right to take it away! If you have any questions please don't hesitate to call me 801-381-2719.

Thanks,
Lesley Mollard

From: [Gary F. Brown](#)
To: [Jeffrey C. Miller](#)
Subject: Erda airport avigation easements
Date: Tuesday, December 1, 2020 9:16:12 PM

Planning and Zoning Commission

My wife and I have lived in Erda at 4189 Golden Gardens Dr. for over 42 years and in that time it seems that all we have done is fight the County. First the airport, then the number of animals allowed on our property, then the airport expansion, then the chicken farm, the Erda township, and the list goes on. I just don't understand why Erda has had little if any representation in the County Government so we continually have mud thrown in our faces.

We voted for incorporated so we could have some say as to what happens in our community.

We therefore request that the easement zone be shrunk to remove Golden Gardens subdivision from Zone A. Or even better yet, table the request until the City of Erda is organized so we can make the decision as a community. It really looks like Salt Lake City is trying to push this through now so Erda will not have a say in the matter. Any way you cut it that is just wrong.

Please give Erda the representation from the County that we deserve.

Gary & Arlene Brown
435 841-4842

From: [Norma Worwood](#)
To: [Jeffrey C. Miller](#)
Subject: Erda Airport Expansion
Date: Tuesday, December 1, 2020 5:50:30 PM

Our first response is why everyone wants a piece of Erda. We have lived here around 50 years and it was such a nice place to live. Now we are bombarded on every side. We live on Erda Way on the corner of Evans Way. I cannot believe that the County Planning and Zoning Commission would let the Salt Lake Airport expand to take over our homes. We fought the airport back in 1971 and lost then because of the County Commissioners. Now this is even worse. How can you let this happen and tell us what we can and cannot do in our own yards. If you do this, we will not be able to sell our homes to anyone but the airport and we know that we will not get a fair price for it. We want to be removed from Zone A and keep the airport zoning as it is. We are now a City and it should be up to us if we want the airport to expand. We will not profit by letting the airport to expand. We just cannot believe that our own county officials would even think to let this happen.

We are pleading to stop the madness that is happening to Erda. We have had enough to thoroughly disillusion us from living here. We won't even be able to sell our homes now because everyone will realize this could happen at anytime. Why weren't we notified of this long before now? We are outraged!

Thanks for nothing,

Wayne and Norma Worwood
2160 West Erda Way
Erda
435-882-4853

Sent from [Outlook](#)

From: [Ray Walters](#)
To: [Jeffrey C. Miller](#)
Subject: Letter to Planning Commission - Please Forward.
Date: Tuesday, November 3, 2020 3:24:33 PM

Mr. Miller,

Please forward to the members of the planning commission before the next meeting.

Thank you.

Esteemed members of Tooele County Planning Commission,

I am writing you today to express my concerns regarding the Airport Overlay Zoning proposal. As a land owner of property that is in the proposed AOZ-A zone to the south of the airport, I have serious objections to the limitations the airport wants to impose on my property. That property was given to me by my mother as an inheritance for a place for me to give to my children to build their homes on in the future. The property is currently zoned RR-5, and is an approved subdivision. Now the airport wants to impose a new zoning on my property which will only allow for agriculture or manufacturing/industrial. Not only does that mean that I no longer have a place to give my children to build their homes, but it also decreases the value of my land. There is currently very low demand for those kinds of businesses in our area, with literally thousands of acres of manufacturing/industrial land available in Tooele County. (Think Romney Group.) On the other hand, demand for RR-1 and RR-5 is very high. So essentially what the airport is attempting to do is going to devalue my property. Who is going to make up the difference? Does the airport or the county have millions of dollars to compensate all the property owners that this is going to affect? What the airport is wanting to do is to control other people's property without compensation.

I listened to the airport representatives present their plan to you during your last meeting and one of the things I heard, that is very important to remember, is that their proposals are RECOMMENDATIONS, not REQUIREMENTS. It is ultimately up to the county to determine what is best and fair for the citizens and property owners of this area and not to just bow down to the whims of the airport. You have the ability to rein in their requirements and adjust the restrictions and boundaries. You have the ability to DENY THE PLAN ALL TOGETHER!

Their current proposal is a classic example of government over-reach. They are asking us to do things they did not comply to when they decided to build that airport where they did. THEY built the airport in proximity to existing homes. Now they want to stop homes from being built next to them. If someone wants to build a home in proximity to an airport, they know before-hand that there is going to be noise from an airport. It is their choice. Perhaps CC&R's could be set in place on new developments that exempt the occupants from

complaining about normal airport operations. I personally know that it would not be prudent to expect to be able to build homes on the west side of my property that is closest to the airport. It makes sense to use that area for commercial/manufacturing or similar. But there is no reason I couldn't let my children or others build on the eastern two lots. It is no closer to the airport than the Golden Gardens subdivision was to them when they chose to build the airport where they did. Their proposed boundaries/zones are too wide and their aviation easements are too restrictive.

In summary I am asking you as members of the planning committee to give consideration to the affects that placing this type of zoning on people's property has on the property owners. It might just look like a color on a map to you, but it is our future. It is my children's future. It is our financial well-being that is at stake. Please do not let the airport push us around and get whatever they decide is best. Let's do what is best and fair for the citizens and property owners of our county.

Thank you for your time and consideration.

Ray Walters
1438 W Erda Way
Erda, Ut. 84074
801-597-2638

From: [Ray Walters](#)
To: [Jeffrey C. Miller](#)
Subject: Letter to Planning Commission
Date: Wednesday, December 2, 2020 2:34:09 PM

Jeff,

Please forward this to the members of the Planning Commission. Thanks!

Esteemed members of the Planning Commission,

My name is Ray Walters. As I have written in a previous email I own approximately 50 acres in the proposed AOZ A airport overlay zone in Erda.

I wanted to take time to thank you for your consideration of the effects that this proposed overlay will have on the property owners especially those in the "A" zone. I was glad to hear the proposal of a study to determine what that would be. I am glad to see you asking the airport the hard questions, and not just rubber-stamping everything that they are asking for. The airport reps are definitely smooth-talkers!

As I said in a previous email, the property I own in the "A" zone is an approved subdivision. To say that this overlay will not have a negative effect on the value of my property is ridiculous. There is high demand for residential properties in Erda. There are literally thousands of acres of industrial property on the market right now. I know it's a personal thing for me, but I had planned on being able to give my children a place to build their homes. Now I am being told that they have the right to tell me what I can or cannot do with my property. If you were in my position how would you feel?

The Walters family has had dealings with the airport in the past. We have been forced to sell them property by takings or eminent domain. I can tell you that they do not want to pay top dollar for what they want. They always come with a low-ball offer and lawyers are needed to get anywhere close to the greatest value for your land. Hopefully the Planning Committee can see that the harm caused by their overlay outweighs any benefit that the airport provides to the county.

I have watched the airport change their restrictions in the "C" zone. It started with no residential, then went to RR-1 with conditional use permits, and now I understand they dropped the conditional use permit requirement. I feel like there is room for negotiation in the "A" zone. Maybe something like 2 acre lots with sound attenuation required and the consent that a buyer is aware of potential airport noise. Shouldn't it be a buyer's decision to make if they are willing to live close to an airport or not? Most of the homes that are in the "A" zone were there before the airport was built. The airport didn't seem to think that their

noise would affect those people enough that they needed to find somewhere else to build the airport. But now they seem to think they can tell people that they can't build anywhere close to them.

I also feel it to be wrong to impose the restrictions and place the easements on the homes that are currently in the overlay. These people were there first. As I said in my previous email if they moved the "A" zone to their own east and west property lines it would take Golden Gardens, Pony Street and Palmer Road out of the "A" zone. It would also take restrictions off of some of my property.

Thank you again for your diligence in this matter.

Ray Walters
801-597-2638

From: [Bonnie Rogers](#)
To: [Jeffrey C. Miller](#)
Date: Tuesday, December 1, 2020 1:09:07 PM

What is going on AGAIN? I am a resident of Erda and live just west of the airport. Every time we turn around something or someone is trying to infringe on our rights as property owners; annexations, high density, animals, and now the airport with their greedy, invasive restrictions? I am so sick of all the crap that goes on with our county representatives. Stop the talks with the airport and end it here now!!

Bonnie Rogers

takeoff and landing." 14 C.F.R. § 1.1. For airplanes, the minimum flight altitude while flying over congested areas or open-air assemblies of persons is 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet. 14 C.F.R. § 91.119(b). Over uncongested areas, airplanes can operate at an altitude of 500 feet above the surface. 14 C.F.R. § 91.119(c).

Two exceptions exist for operating an aircraft below these altitudes: (1) when necessary for takeoff or landing; or (2) in-flight emergencies requiring immediate action. 14 C.F.R. § 91.119(a); 14 C.F.R. § 91.3(b). The pilot is ultimately responsible for operation of the aircraft. See 14 C.F.R. § 91.3(a) ("The pilot in command of an aircraft is directly responsible for, and is the final authority as to, the operation of that aircraft.").

Federal regulations also dictate the flight rules governing pilots. See 14 C.F.R. § 91.101 *et seq.* Under Visual Flight Rules (VFR), pilots may operate an aircraft by visual reference in fair or good weather. 14 CFR § 91.151-91.161.² As alluded to previously, the federally-adopted flight plan at the Tooele Valley Airport provides that pilots may use VFR when taking off and landing from the southern runway. But the City has no control over how pilots take off or land from the airport and has no authority to regulate their conduct under federal law.

II. Neither federal statute nor regulation dictate the city obtain an easement over neighboring properties to operate the airport.

By their motion and during the hearing, Plaintiffs suggest that the City should be required to condemn an easement and be required to obtain an order of occupancy. But the City is unaware of any federal statute or regulation that requires an airport operator to obtain an easement for the

² Instrument Flight Rules (IFR) are rules and regulations established by the FAA that dictate the operation of aircraft under conditions in which the pilot is unable to navigate using visual flight rules. Regulations for flying under IFR are defined in 14 CFR § 91.167-91.193.

From: [Diane](#)
To: [Jeffrey C. Miller](#)
Cc: [mathewsbrothers@yahoo.com](#); [kalemssessions@gmail.com](#); [khmallis@aol.com](#)
Subject: Re: Erda airport work meeting
Date: Tuesday, December 1, 2020 2:29:23 PM

Jeff:

I am vehemently opposed to being closely included in Zone A of the Airport Redzone. Please narrow the red zone so the homes are not included in that zone. Please let my comments be noted to the group.

Since Erda is now incorporated, shouldn't Erda council and our legal counsel be included in these negotiations? Please advise promptly.

Thank you, Diane Haney, 4196 Palmer Road, Erda UT 84074.

-----Original Message-----

From: Diane <dianetzar4@aol.com>
To: jcmiller@tooeleco.org
Sent: Tue, Dec 1, 2020 1:08 pm
Subject: Erda airport work meeting

Can you please send me zoom link fir tomorrow's airport work meeting. Thank you! Diane

From: nkunz@digis.net
To: [Jeffrey C. Miller](#)
Cc: bkunz@digis.net; dkunzjrpe@gmail.com
Subject: Tooele County Planning Commission.
Date: Wednesday, December 2, 2020 9:32:06 AM
Attachments: [Page 3 from SLC Filing 11 09 2020.pdf](#)
[Page 6 from acrp_rpt_038_TRANSPORTATION_Report.pdf](#)
[Pages 127 to 133 from TooeleCountyCodeBook.pdf](#)

Jeff,

I have the following comments and concerns that I would like to give to the Planning Commission for their consideration before tonight's work session.

Salt Lake City has stated in Third Judicial Court of Tooele County filings that air easements are not required by federal statute or regulation, see attachment Titled Page 3 from SLC Filing 11 09 2020. Tooele County should not include the requirement for aviation easements in their ordinances if they are not required by federal statute or regulation.

Salt Lake City has stated that they will acquire property as needed but the commissioners should consider that Salt Lake City owns 882 acres in West Jordan for Airport No. 2. Salt Lake City owns 636 acres in Tooele County for the Tooele Valley Airport. The Tooele Valley Airport runway is 300 feet longer than the West Jordan Airport and is also ILS compatible. Salt Lake City has purchased less ground around the Tooele Airport for the protection of the airport than they have at the West Jordan airport. Salt Lake City's statement that they are purchasing ground around Tooele Valley Airport is misleading. If Salt Lake City is unwilling to spend money to protect their airport then Tooele County should not place the burden to protect the airport on it's citizens.

Salt Lake City spent a great deal of time defining the noise and the FAA Day Night Equivalent Sound Level (DNL), but they did not address that the DNL is not part of Tooele County Noise ordinance. The Tooele County noise ordinance is based on a single event A-weight noise level, see Tooele Ordinance Chapter 6-21 pages attached. The Tooele County Noise ordinance applies to motorized vehicles which will include airplanes and helicopters. As the Commissioners noted they can hear the airplanes flying over head. The airplanes and helicopters currently using the airport violate Tooele County's noise ordinance and there will be more violations in the future if Salt Lake City expands the Airport.

The 2016 Updated ALP was referenced in the Overlay Zone report. Salt Lake City has not submitted the 2016 ALP to Tooele County. No other developer or builder would be allowed to expand their facilities without submitting the plans to Tooele County for Approval. Salt Lake City is expanding the airport and specifically the BLM facilities at the Tooele Valley Airport without any approval or permitting process through Tooele County. This expansion has a direct effect on neighboring properties. Tooele County should require that the ALP and Salt Lake City's development plans be submitted for public comment and approval prior to building new facilities that will impact neighboring properties.

Salt Lake City has stated that notification is required to be given to the FAA through form 7490 for an Object Evaluation (OE/AAA) but the FAA does not have direct jurisdictional authority to limit or prevent any development. While a notice is required the determination from the evaluation do not have any enforcement provisions. See page 6 from ACRP-rpt_038 Transportation report.

If you have any questions about the comments above please feel free to contact me. I have provided the relevant pages from the documents referenced above. I can provide the entire document of the references to review if needed.

Thank you.

Neil Kunz
801-673-5614
3808 N. 2125 W.

Erda, Utah 84074

Attachments: Page 3 from Salt Lake City filing in Third Judicial Court for Tooele County, Filing dated November 9th, 2020

Page 127 to 133 of Tooele County Ordinances.

Page 6 from Airport Cooperative Research Program (ACRP) Report 38 Understanding Airspace, Objects, and Their Effects on Airports.